



भारत का राजपत्र

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सं. 36]

नई दिल्ली, अगस्त 30—सितम्बर 5, 2009, शनिवार/भाद्र 8—धाद्र 14, 1931

No. 36]

NEW DELHI, AUGUST 30—SEPTEMBER 5, 2009, SATURDAY/BHADRA 8—BHADRA 14, 1931

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह पृष्ठक संकलन के रूप में रखा जा सके

Separate Paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएं
Statutory Orders and Notifications Issued by the Ministries of the Government of India
(Other than the Ministry of Defence)

कार्यिक, लोक शिकायत तथा पेंशन मंत्रालय
(कार्यिक और प्रशिक्षण विभाग)

नई दिल्ली, 28 अगस्त, 2009

का.आ. 2385.—केन्द्रीय सरकार एतद्वारा आंतकवादी और विध्वंसकारी क्रियाकलाप (निवारण) अधिनियम, 1987 (1987 का अधिनियम सं. 28) की धारा 13 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए श्री एच. के. शुक्ला और श्री एजाज सलीम खान वरिष्ठ लोक अभियोजक अधिकारी, केन्द्रीय अन्वेषण ब्यूरो, मुंबई को, संलग्न अनुसूची में उल्लिखित अपराधों अथवा मुंबई शहर और मुंबई उपनगरीय जिलों, रायगढ़ और जिला ठाणे, में किए गए ऐसे ही मामलों के विचारण तथा उक्त बम अधिनियम की धारा 9 के अंतर्गत गठित नामनिर्दिष्ट न्यायालय, मुंबई में पूर्वोक्त अनुसूची में उल्लिखित मामलों और मुंबई शहर तथा उसके उपनगरों में 12 मार्च, 1993 को हुए बम विस्फोटों से उद्भूत ऐसे ही क्षेत्रों में ऐसे ही मामलों से उत्पन्न भामला संख्या आरसी 1(एस)/93—सीबीआई एसटीएफ मुंबई (कोर्ट केस सं. बीबीसी 1 ऑफ 93, बीबीसी 1-ए ऑफ 93, बीबीसी 1-बी ऑफ 93, और बीबीसी 2 ऑफ 2008) तथा उक्त अधिनियम के

अधीन उससे संबंधित अन्य मामलों अथवा आनुषंगिक मामलों के संबंधालय के लिए केन्द्रीय अन्वेषण ब्यूरो के विशेष लोक अभियोजक के रूप में नियुक्त करती है।

अनुसूची

क्रम	स्थान	पुलिस स्टेशन और अपराध संख्या	डीसीबी
			अपराध संख्या
1	2	3	4
1.	स्टॉक एक्सचेंज	एम.आर.ए. मार्ग, 129/93	70/93
2.	कथा बाजार	पैडोइन, 195/93	73/93
3.	सेना भवन	दादर, 186/93	118/93
4.	सेंचुरी बाजार	दादर, 187/93	117/93
5.	महिम कौसवे	महिम, 185/93	110/93
6.	एयर इंडिया	कूके पराडे, 126/93	71/93
7.	जावेरी बाजार (एक्सप्लोरिङ स्कूटर)	एल.टी.मार्ग, 122/93	75/93

1	2	3	4
8.	सोरॉक होटल	बांद्रा, 48/93	114/93
9.	प्लाजा सिनेमा	महिम, 184/93	109/93
10.	जुहू सेंटर होटल	सांताक्रूज, 155/93	116/93
11.	एयर पोर्ट बे 54 (थ्रोइंग एच.जी)	सहारा 200/93	108/93
12.	सेंटर होटल (एयरपोर्ट)	एयरपोर्ट, 19/93	115/93
13.	वर्ली	वर्ली, एलएसी 389/93	112/93
14.	नैमाम सी.आरएस. रोड (अन एक्सप्लोडिंग स्कूटर)	मतुंगा, 251/93	72/93
15.	धनजी स्ट्रीट एंड जावरी बाजार (2 अन एक्सप्लोडिंग स्कूटर)	एल.टी. मार्ग, 124/93	111/93
16.	महास्ता	महास्ता, 6/93	132/93
17.	श्रीवर्धन	श्री वर्धन, 14/93	133/93
18.	गोरेगांव	गोरेगांव, 17/93	134/93
19.	ठाणे	कपूरबाबडी, 14/93	135/93
20.	एस.के. मेनन स्ट्रीट	एल.टी. मार्ग, 133/93	77/93
21.	इस्टन साइड लैंबोटी	एलएसी,	15/93
	ऑफ मुसाफिर खाना		
	मुंबई		
22.	नरिया बाडी मुस्लिम	एलएसी	18/93
	सिमेंट्री, मझगांव		
23.	पिकनिक गंग्स हाउस नियर लीडो थियेटर, सांता क्रूज (वेस्ट)		20/93
24.	58, नर्सिंस दत्त रोड, एलएसी		21/93
	पाली हिल बांद्रा		
25.	बोनापार्ट इंडस्ट्रीज	एलएसी	23/93
	घनश्याम इंडस्ट्रीज,		
	ईस्ट वीरा देलाई		
	रोड, मुंबई-50		
26.	खातीजाबी चॉल,	एलएसी कुर्ला	32/93
	आर नं. 1, सोनापुर	एलएसी 707/93	
	लेन, कुर्ला (वेस्ट)		
27.	झीमलैंड को.ओ.	एलएसी	22/93
	हाडमिंग सोसायटी,		
	मिल्टी रोड-मरांल,		
	मुंबई		

**MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES
AND PENSIONS**

(Department of Personnel and Training)

New Delhi, the 28th August, 2009

S.O. 2385.—In exercise of the powers conferred by Sub-Section (1) of Section 13 of the Terrorist and Disruptive Activities (Prevention) Act, 1987, (Act No. 28 of 1987), the Central Government hereby appoints Shri H.K. Shukla and Shri Ejaz Salim Khan, Senior Public Prosecutor of the Central Bureau of Investigation, as Special Public Prosecutor of the Central Bureau of Investigation for conducting prosecution of the case RC. 1(S)/93-CBI STF Mumbai (Court case No. BBC 1 of 93, BBC 1A/93, BBC 1B/93, and BBC 2/2008) relating to the cases mentioned in the Schedule appended hereto, and such cases in such areas as may arise out of and connected with Bomb Blasts which occurred on 12th March, 1993 at Mumbai City and suburbs, and other matters connected therewith or incidental thereto under the said Act, in the Designated Court at Mumbai constituted u/s 9 of the said Act to try offences or such cases committed at Mumbai City and Mumbai Suburban Districts, Raigad District and Thane District as mentioned in the case schedule, and to try such cases in such areas as may arise out of and connected with aforesaid Bomb Blasts.

SCHEDULE

Sl. No.	Place	Police Station and Cr. No.	DCB Cr. No.
		1	2
1.	Stock Exchange	M.R.A. Marg, 129/93	70/93
2.	Katha Bazar	Pydhonie, 195/93	73/93
3.	Sena Bhavan	Dadar, 186/93	118/93
4.	Century Bazar	Dadar, 187/93	117/93
5.	Mahim Causeway	Mahim, 185/93	110/93
6.	Air-India	Cuffe Parade, 126/93	71/93
7.	Zaveri Bazar (Exploded Scooter)	LT Marg, 122/93	75/93
8.	Sea Rock Hotel	Bandra, 148/93	114/93
9.	Plaza Cinema	Mahim, 184/93	109/93
10.	Juhu Centaur Hotel	Santa Cruz, 155/93	116/93
11.	Airport Bay 54 (Throwing H.G.)	Sahar, 200/93	108/93
12.	Centaur Hotel (Airport)	Airport, 19/93	115/93
13.	Worli	Worli, LAC 389/93	112/93
14.	Naigaum C.R.S. Rd (unexpl. Scooter)	Matunga, 251/93	72/93

[सं. 225/12/2009-एवीडी-II]
चंद्र प्रकाश, अवर सचिव

1	2	3	4
15.	Dhanji ST & Zaveri Bazar (2 unexploded Scooters)	L.T. Marg, 124/93	111/93
16.	Mhasla	Mhasla, 6/93	132/93
17.	Srivardhan	Srivardhan, 14/93	133/93
18.	Goregaon	Goregaon, 17/93	134/93
19.	Thane	Kapurbawdi, 14/93	135/93
20.	S.K. Menon Street	L.T. Marg, 138/93	177/93
21.	Eastern side Lavotry of Musafir Khana, Mumbai	LAC	15/93
22.	Nariyal Wadi Musim Cemetery Mazagaon	LAC	18/93
23.	Picnic Guest House Near Lido Theatre, Santa Cruz (W)	LAC	20/93
24.	58, Nargis Dutt Road, Pali Hill Bandra (W), Mumbai-50	LAC	21/93
25.	Bone Parte Ind., Ghansham Ind. Est. Vira Desai Road Mumbai-50	LAC	21/93
26.	Khatijabi Chawl, R. No. 1, Sonapur Lane, Kurla(W)	LAC Kurla LAC 707/93	32/93
27.	Dreamland Co. Op. Hog. Sct. Military Road, Marol, Mumbai	LAC	22/93

[No. 225/12/2009-AVD-II]
CHANDRA PRAKASH, Under Secy.

वित्त मंत्रालय

(गजस्व विभाग)

शुद्धिपत्र

नई दिल्ली, 18 अगस्त, 2009

का.आ. 2386.—भारत के राजपत्र के भाग-II, खंड-3, उपखंड (ii) में दिनांक 27 अप्रैल, 2009 को प्रकाशित अधिसूचना के अंतर्गत केंद्रीय सरकार राजभाषा (संघ के शासकीय प्रयोजनों के प्रयोग) नियम, 1976 के नियम 10 के उपनियम 4 के तहत अधिसूचित राजस्व विभाग के केन्द्रीय उत्पाद शुल्क आयुक्तालय, आई पी एस्टेट, नई दिल्ली-110109 कार्यालय के स्थान पर केन्द्रीय उत्पाद शुल्क

आयुक्तालय-II, आई पी एस्टेट, नई दिल्ली-110109 प्रतिस्थापित किया जाए।

[फा. सं. 11012/1/2008-हिंदी-2]
मधु शर्मा, निदेशक (राजभाषा)

MINISTRY OF FINANCE

(Department of Revenue)

CORRIGENDUM

New Delhi, the 18th August, 2009

S.O. 2386.—In the notification published on 27th April, 2009 in Gazette of India in Part 2 Sub-section-(ii) Section-3 the office of Department of Revenue notification under Sub rule 4 of Rule 10 of the Official Language (Use of Official Purpose of the Union) Rules 1976, the office of the Central Excise Commissionaire-II, 1P Estate, New Delhi-110109 may please be substituted in place of office of the Central Excise Commissionaire, 1P Estate, New Delhi-110001.

[F. No. 11012/1/2008-Hindi-2]
MADHU SHARMA, Director (OL)

कार्यालय मुख्य आयकर आयुक्त

उदयपुर, 19 अगस्त, 2009

सं. 11/2009-10

(आयकर)

का.आ. 2387.—आयकर अधिनियम, 1961 (1961 की 43वां) की धारा 10 के खण्ड (23g) के उपखण्ड (iv) के साथ पठित आयकर नियमावली, 1962 के नियम 2g के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मुख्य आयकर आयुक्त, उदयपुर एतद्वारा “सोशल वर्क एण्ड रिसर्च सेन्टर, तिलोनिया, अजमेर (राजस्थान)” को कर निर्धारण वर्ष 2009-10 से 2011-12 तक के लिए निम्नलिखित शर्तों के अधीन रहते हुए उक्त उपखण्ड के प्रयोजनार्थ अधिसूचित करते हैं, अर्थात् :

- (i) कर निर्धारिती अपनी आय का इस्तेमाल अथवा अपनी आय का इस्तेमाल करने के लिए उनका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा जिनके लिए इसकी स्थापना की गई है;
- (ii) कर निर्धारिती उपर्युक्त कर निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (v) में विनिर्दिष्ट किसी एक अथवा एक से अधिक ढंग अथवा भिन्न तरीकों से अपनी निधि (जेवर, जवाहरत, फर्नीचर आदि के रूप में प्राप्त तथा अनुरक्षित स्नैच्चिक अंशदान से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करेगा;
- (iii) यह अधिसूचना किसी ऐसी आय के सम्बन्ध में लागू नहीं होगी जो कि कारोबार से प्राप्त लाभ तथा अभिलाभ हो जब तक कि ऐसा कारोबार उक्त कर निर्धारिती के उद्देश्यों की

- प्राप्ति के प्रासारिक नहीं हो अथवा ऐसे कारोबार के सम्बन्ध में अलग से लेखा पुस्तिकाएं नहीं रखी जाती हैं;
- (iv) कर निर्धारिती आयकर अधिनियम, 1961 के प्रावधानों के अनुसार अपनी आय विवरणी नियमित रूप से आयकर प्राधिकारी के समक्ष दाखिल करेगा;
- (v) विधटन की स्थिति में इसकी अतिरिक्त राशियां और परिसम्पत्तियां समान उद्देश्यों वाले धर्मार्थ संगठन को दे दी जायेंगी;

यह अधिसूचना केवल संस्था की ओर से आय के प्राप्तकर्ता पर ही लागू होगी न कि इस तरह के प्राप्तकर्ता द्वारा किसी अन्य प्राप्ति अथवा आय पर। संस्था की आय की कराधेता अथवा अन्यथा पर, आयकर अधिनियम, 1961 के उपबन्धों के अनुसार पृथक रूप से विचार किया जायेगा।

[सं. मु.आ.आ./उद्य/ आ.अ.(तक.)/ 2009-10/1164]

मुकेश भान्ती, मुख्य आयकर आयुक्त

OFFICE OF THE CHIEF COMMISSIONER OF INCOME TAX

Udaipur, the 19th August, 2009

No. 11/2009-IO

(INCOME-TAX)

S.O. 2387.—In exercise of the powers conferred by Sub-Section (iv) of Clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), read with rule 2C of the Income-tax Rules, 1962, I, Chief Commissioner of Income-tax, Udaipur hereby notify the “Social Work & Research Centre, Tilonia, Ajmer (Rajasthan)” for the purpose of the said sub-clause for the assessment years 2009-10 to 2011-12 subject to the following conditions, namely :—

- (i) The assessee will apply its income, or accumulate for application, wholly and exclusively to the objects for which it is established;
- (ii) The assessee will not invest or deposit its fund (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous year relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of section 11;
- (iii) This notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of account are maintained in respect of such business;
- (iv) The assessee will regularly file its return of income before the Income-tax authority in accordance with the provisions of the Income-tax Act, 1961;

- (v) That in the event of dissolution, its surplus and the assets will be given to a charitable organization with similar objectives.

This notification is applicable only to the recipients of income on behalf of the assessee and not to any other recipient or income of such recipients. Taxability or, otherwise of the income of the assessee would be separately considered as per the provisions of the Income-tax Act, 1961.

[No. CCIT/UDR/ITO (Tech.)/2009-10/1164]
MUKESH BHANTTI, Chief Commissioner of Income-Tax

केन्द्रीय उत्पाद शुल्क आयुक्त का कार्यालय

कोलकाता, 21 अगस्त, 2009

सं. 01/2009-सीमा शुल्क (एन.टी.)

का.आ. 2388.—सीमा शुल्क, अधिनियम, 1962 (1962 का 52) के साथ पठित एम.एफ.डी.आर. सर्कुलर सं. 31/2003-सीमा शुल्क, दिनांक 07 अप्रैल, 2003 की धारा 152 के अधीन दिनांक 1 जुलाई, 1994 को जारी अधिसूचना सं. 33/1994-सीमा शुल्क (एन.टी.) द्वारा प्रत्यायेजित सीमा शुल्क, अधिनियम, 1962 की धारा 9 में प्रदत्त शक्तियों का प्रयोग करते हुए, विकास आयुक्त, फॉलता विशेष आधिक क्षेत्र, वाणिज्य मंत्रालय के पश्चि सं. 2(1)N-5/2002/6002 दिनांक 3-3-2009 द्वारा अनुमोदित मैमर्स अनमोल टेक्सटाइल्स JL-2, धुलागोरी इंडस्ट्रीजल पार्क, मौत्रा-जला धुलागोरी, पी.एस. संकरैल, पो. आ. धुलागोरी, जिला-हावड़ा-711302, पश्चिम बंगाल को शतप्रतिशत नियतिमन्तु इकाई (100% E.D.U.) की स्थापना के उद्देश्य से सीमा-शुल्क अधिनियम, 1962 (1962 का 52) की धारा-9 के अधीन एतद्वारा बंगर हाऊसिंग स्टेशन (Warehousing Station) घोषित किया जाता है।

[सं. सं. IV(16)7/के.उ.शु/तक./हल/डब्ल्यू.ए.

आर/09/15890-15904]

जय प्रकाश, आयुक्त

OFFICE OF THE COMMISSIONER OF CENTRAL EXCISE

Kolkata, the 21st August, 2009

No. 01/2009-CUSTOMS (NT)

S.O. 2388.—In exercise of the powers conferred under Section 9 of the Customs Act, 1962 as delegated by Notification No. 33/1994-Customs(NT) dated 1st July, 1994 issued under Section 152 of the Customs Act, 1962 (52 of 1962) read with MFDR Circular No. 31/2003-Customs, dated 7th April, 2003 the factory premises of M/s Anmol Textiles, JL-2, Dhulagori Industrial Park, Mouza-Jala Dhulagori, P.S. Sankrail, P.O. Dhulagori, Dist.-Howrah-711302, West Bengal are, hereby, declared to be a Warehousing Station under Section 9 of the Customs Act, 1962 (52 of 1962) for the purpose of setting up of a 100% Export Oriented Unit, as approved by the Development

Commissioner, Falta Special Economic Zone, Ministry of Commerce, Government of India vide their letter No. 2(1)/N-5/2002/6002 dated 30th March, 2009.

[C.No. IV(16) 7/CE/Tech/Hal/WAR/09/15890-15904]
JAI PRAKASH, Commissioner

कार्यालय मुख्य आयकर आयुक्त

शुद्धि-पत्र

जयपुर, 24 अगस्त, 2009

का.आ. 2389.—आयकर, अधिनियम, 1961 की धारा 10 के खण्ड (23 सी) के उपखण्ड (vi) के तहत् अधिसूचना सं. 07/2009-10 दिनांक 30-07-2009 के द्वारा “दिगंतर शिक्षा एवं खेल कूद समिति, गोब-टोडी रामजानीपुरा, जगतपुरा, जयपुर” को स्वीकृति दी गई थी। अधिसूचना के पैरा 1 की लाइन 4 में “दिगंतर” के स्थान पर “दिगंतर” पढ़ा जाये।

[क्रमांक मुआआ/अआआ/(मु.)/जय/10(23सी)(vi)

2009-10/1955]

बी. एस. ढिल्लों, मुख्य आयकर आयुक्त

**OFFICE OF THE CHIEF COMMISSIONER OF
INCOME TAX
CORRIGENDUM**

Jaipur, the 24th August, 2009

S.O. 2389.—In Notification No. 07/2009-10 dated 30-07-2009 vide which “**Diganter Shiksha Evam Kood Samiti, Village-Todi Ramjanipura, Jagatpura, Jaipur**” was approved for the purpose of sub-clause (vi) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961) read with rule 2CA of the Income-tax Rules, 1962 in Para 1, lines 3 & 4 name of the samiti may be read as “**Digantar Shiksha Evam Khoj Kood Samiti**” instead of “**Digantar Shiksha Evam Khoj Samiti**”

[No. CCIT/JPR/Addl. CIT(Hqrs.)/10(23C)
(vi)/2009-10/1955]

B. S. DHILLON, Chief Commissioner of Income-tax
(वित्तीय सेवाएं विभाग)

नई दिल्ली, 25 अगस्त, 2009

का.आ. 2390.—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 53 (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक की सिफारिश पर, एतद्वारा, घोषणा करती है कि उक्त अधिनियम की धारा 10(1)(ग) (i) के उपबंध उस सीमा तक फेडरल बैंक लि. पर लागू नहीं होंगे जहाँ तक उसका सम्बन्ध बैंक के प्रबंध निदेशक एवं मुख्य कार्यपालक अधिकारी श्री एम. वेणुगोपालन द्वारा, उनके बैंक में प्रबंध निदेशक एवं मुख्य कार्यपालक अधिकारी बने रहने तक, अथवा अगले आदेशों तक, जो भी पहले हो, युनाइटेड स्टॉक एक्सचेंज ऑफ इंडिया लि. के बोर्ड में, निदेशक का पद धारित करने से है।

[फा. सं. 7/69/2009-बीओए]

डी. डी. महेश्वरी, अवर सचिव

(Department of Financial Services)

New Delhi, the 25th August, 2009

S.O. 2390.—In exercise of the powers conferred by Section 53 (1) of the Banking Regulation Act, 1949 (10 of 1949), the Central Government, on the recommendations of Reserve Bank of India, hereby declares that the provisions of Section 10(1)(c)(i) of the said Act shall not apply to the Federal Bank Ltd. insofar as they relate to its Managing Director & Chief Executive Officer Shri M. Venugopalan taking up Directorship on the Board of United Stock Exchange of India Ltd. till the period he continues to be Managing Director & Chief Executive Officer of the Bank or until further orders, whichever is earlier.

[F. No. 7/69/2009-BOA]
D. D. MAHESHWARI, Under Secy.

नई दिल्ली, 26 अगस्त, 2009

का.आ. 2391.—राष्ट्रीय कृषि तथा ग्रामीण विकास बैंक अधिनियम, 1981 (1981 का 61) की धारा 6 की उपधारा (1) के खण्ड (ग) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्र सरकार, भारतीय रिजर्व बैंक के परामर्श से, एतद्वारा, डॉ. के.सी. चक्रवर्ती, उप गवर्नर, भारतीय रिजर्व बैंक को अधिसूचना की तारीख से तथा अगले आदेशों तक, जो भी पहले हो, श्रीमती उषा थॉरेट के स्थान पर राष्ट्रीय कृषि तथा ग्रामीण विकास बैंक (नाबार्ड) के निदेशक मंडल में अंशकालिक निदेशक के रूप में नियुक्त करती है।

[फा. सं. 7/2/2009-बीओ-1]
जी.बी. सिंह, उप सचिव

New Delhi, the 26th August, 2009

S.O. 2391.—In exercise of the powers conferred by clause (c) of sub-section (1) of section 6 of the National Bank for Agriculture and Rural Development Act, 1981 (61 of 1981), the Central Government, in consultation with the Reserve Bank of India, hereby nominates Dr. K.C. Chakraborty, Deputy Governor, Reserve Bank of India as part-time director on the Board of Directors of National Bank for Agriculture and Rural Development (NABARD), from the date of notification and until further orders, whichever is earlier, vice Smt. Usha Thorat.

[F. No. 7/2/2009-BO-I]
G. B. SINGH, Dy. Secy

नई दिल्ली, 26 अगस्त, 2009

का.आ. 2392.—राष्ट्रीयकृत बैंक (प्रबंध एवं प्रकीर्ण उपबंध) योजना, 1970/1980 के खंड 3 के उपखंड (1) और खंड 8 के उपखंड (1) के साथ पठित, बैंककारी कंपनी (उपक्रमों का अर्जन एवं अंतरण) अधिनियम, 1970/1980 की धारा 9 की उपधारा 3 के खंड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श करने के पश्चात्, एतद्वारा, श्री जी.एस. वेदी (जन्म तिथि 28-06-1950), वर्तमान में कार्यपालक निदेशक, पंजाब एंड सिंध बैंक को उनके पदभार ग्रहण

करने के तारीख से और 30-6-2010 तक की अवधि के लिए, अर्थात् उनकी अधिवर्षिता की तारीख तक, अथवा अगले आदेशों तक, जो भी पहले हो, पंजाब एंड सिंध बैंक के अध्यक्ष एवं प्रबंध निदेशक के पद पर नियुक्त करती है।

[फा. सं. 9/8/2009-बीओ-1]

जी. बी. सिंह, उप सचिव

New Delhi, the 26th August, 2009

S.O. 2392.—In exercise of the powers conferred by clause (a) of sub-section (3) of section 9 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970/1980 read with sub-clause (1) of clause 3 and sub-clause (1) of clause 8 of the Nationalized Banks (Management and Miscellaneous Provisions) Scheme, 1970/1980, the Central Government, in consultation with the Reserve Bank of India, hereby appoints Shri G.S. Vedi (DoB 28-06-1950) presently Executive Director, Punjab & Sind Bank as Chairman & Managing Director, Punjab & Sind Bank from the date of taking charge of the post and for a period upto 30-6-2010 i.e. the date of his superannuation or until further orders, whichever is earlier.

[F. No. 9/8/2009-BO-I]

G. B. SINGH, Dy. Secy.

नई दिल्ली, 27 अगस्त, 2009

का.आ. 2393.—राष्ट्रीयकृत बैंक (प्रबंध एवं प्रकीर्ण उपबंध) योजना, 1970/1980 के खंड 3 के उपखंड (1) और खंड 8 के उपखंड (1) के साथ पठित, बैंकारी कंपनी (उपक्रमों का अर्जन एवं अंतरण) अधिनियम, 1970/1980 की धारा 9 की उपधारा 3 के खंड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श करने के पश्चात्, एतद्वारा, श्री टी.वाई. प्रभु (जन्म तिथि 31-12-1950), वर्तमान में कार्यपालक निदेशक, यूनियन बैंक ऑफ इंडिया को उनके पदभार ग्रहण करने के तारीख से और 31-12-2010 तक की अवधि के लिए, अर्थात् उनकी अधिवर्षिता की तारीख तक, अथवा अगले आदेशों तक, जो भी पहले हो, ओरियन्टल बैंक ऑफ कामर्स के अध्यक्ष एवं प्रबंध निदेशक के पद पर नियुक्त करती है।

[फा. सं. 9/8/2009-बीओ-1]

जी. बी. सिंह, उप सचिव

New Delhi, the 27th August, 2009

S.O. 2393.—In exercise of the powers conferred by clause (a) of sub-section (3) of section 9 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970/1980 read with sub-clause (1) of clause 3 and sub-clause (1) of clause 8 of the Nationalized Banks (Management and Miscellaneous Provisions) Scheme, 1970/1980, the Central Government, in consultation with the Reserve Bank of India, hereby appoints Shri T. Y. Prabhu (DoB 31-12-1950) presently Executive Director, Union Bank of India as Chairman & Managing Director, Oriental Bank

of Commerce from the date of taking charge of the post and for a period upto 31-12-2010 i.e. the date of his superannuation or until further orders, whichever is earlier.

[F. No. 9/8/2009-BO-I]

G. B. SINGH, Dy. Secy.

नई दिल्ली, 30 जुलाई, 2009

का.आ. 2394.—वित्त मंत्रालय, आर्थिक कार्य विभाग की दिनांक 5 जून, 2009 की समसंख्यक अधिसूचना में आशिक संशोधन करते हुए, एमआर प्रभाग से संबंधित मामलों के लिए सुश्री अपर्णा सिंहा, उप निदेशक के स्थान पर श्री ए.के. सिंह, अवर सचिव (एफटी) को केन्द्रीय जन सूचना अधिकारी (सीपीआईओ) के रूप में नियुक्त किया जाता है।

[एफ. सं. 1/1/2005-आरटीआई]

एस. कनकाम्बरन, अवर सचिव (आरटीआई)

New Delhi, the 30th July, 2009

S.O. 2394.—In partial modification of Ministry of Finance, Department of Economic Affairs's notification of even number dated 5th June, 2009, Mr. A.K. Singh Under Secretary (FT) is appointed as CPIO in place of Ms. Aparna Sinha, Deputy Director for matters relating to MR Divison.

[F. No. 1/1/2005-RTI]

S. KANAKAMBARAN, Under Secy. (RTI)

स्वास्थ्य और परिवार कल्याण मंत्रालय

(स्वास्थ्य और परिवार कल्याण विभाग)

नई दिल्ली, 17 अगस्त, 2009

का.आ. 2395.—दंत चिकित्सक अधिनियम, 1948 (1948 का 16) की धारा 10 की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारतीय दंत चिकित्सा परिषद से परामर्श करने के पश्चात् केन्द्र सरकार उक्त अधिनियम की अनुसूची के भाग-1 में एतद्वारा निम्नलिखित संशोधन करती है, अर्थात् :—

2. श्री बांके बिहारी डेंटल कॉलेज एंड रिसर्च सेंटर, मसूरी, गाजियाबाद के संबंध में दंत चिकित्सा अर्हता को मान्यता देने के संबंध में दंत चिकित्सक अधिनियम, 1948 (1948 का 16) की अनुसूची के भाग-1 में क्रम सं. 56 के सामने स्तम्भ 2 और 3 की मौजूदा प्रविष्टियों में निम्नलिखित प्रविष्टियां जोड़ी जाएंगी, अर्थात् :—

IV. श्री बांके बिहारी डेंटल कॉलेज

एंड रिसर्च सेंटर, मसूरी,

गाजियाबाद

(i) दंत शाल्य-चिकित्सा स्नातक बीडीएस, पार्डित चौधरी (यदि यह 27-12-2008 चरण सिंह विश्वविद्यालय, को अथवा उसके उपरांत मेरठ प्रदान की गई हो।)

[फा. सं. 12017/34/2003-डी.ई.]

आर. शंकरन, अवर सचिव

MINISTRY OF HEALTH AND FAMILY WELFARE

(Department of Health and Family Welfare)

New Delhi, the 17th August, 2009

S.O. 2395.—In exercise of the powers conferred by sub-section (2) of Section 10 of the Dentists Act, 1948 (16 of 1948), the Central Government after consultation with Dental Council of India, hereby makes the following amendments in Part-I of the Schedule to the said Act, namely :—

2. In the existing entries of column 2 & 3 against Serial No. 56, in part-I of the Schedule to the Dentists Act, 1948 (16 of 1948) pertaining to recognition of dental qualification in respect of Shree Bankey Bihari Dental College & Research Centre, Masuri, Ghaziabad, the following entries shall be inserted thereunder :—

- IV. Shee Bankey Bihari Dental College & Research Centre, Masuri, Ghaziabad.
 (i) Bachelor of Dental Surgery BDS, Pt. Ch. Charan Singh University, Meerut.
 (If granted on or after 27-12-2008)

[F. No. V-12017/34/2003-D.E.]
 R. SANKARAN, Under Secy.

नई दिल्ली, 19 अगस्त, 2009

का.आ. 2396.—दंत चिकित्सक अधिनियम, 1948 (1948 का 16) की धारा 10 की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारतीय दंत चिकित्सा परिषद् से परामर्श करने के पश्चात् केन्द्र सरकार उक्त अधिनियम की प्रथम अनुसूची के भाग-I में एतद्वारा निम्नलिखित संशोधन करती है, अर्थात् :—

2. बाबा फरीद स्वास्थ्य विज्ञान विश्वविद्यालय, फरीदकोट (पंजाब) के संबंध में दंत चिकित्सक अधिनियम, 1948 (1948 का 16) की अनुसूची के भाग-I में क्रम सं. 53 के दस्तावेज़ सं. 2 और 3 की मौजूदा प्रविष्टियों में जेनेसिस दंत विज्ञान एवं अनुसंधान संस्थान, फिरोजपुर (पंजाब) के संबंध में निम्नलिखित प्रविष्टियां जोड़ी जाएंगी, अर्थात् :—

- XIV. जेनेसिस दंत विज्ञान एवं
 अनुसंधान संस्थान, फिरोजपुर
 (पंजाब)
 (i) दंत शल्य-चिकित्सा स्नातक बीडीएस, बाबा फरीद
 (यदि यह 9-6-2009 स्वास्थ्य विज्ञान विश्वविद्यालय, फरीदकोट
 को अथवा उसके उपरांत विद्यालय, फरीदकोट
 प्रदान की गई हो ।) (पंजाब)

[फा. संख्या-वी 12017/25/2005-डी.इ.]
 आर. शंकरन, अवर सचिव

New Delhi, the 19th August, 2009

S.O. 2396.—In exercise of the powers conferred by sub-section (2) of Section 10 of the Dentists Act, 1948 (16 of 1948), the Central Government after consultation with Dental Council of India, hereby makes the following amendments in Part-I of the Schedule to the said Act, namely :—

2. In the existing entries of column 2 & 3 against Serial No. 53, in part-I of the Schedule to the Dentists Act, 1948 (16 of 1948) pertaining to Baba Farid University of Health Sciences, Faridkot (Punjab), the following entries in respect of Genesis Institute of Dental Sciences & Research Ferozpur (Punjab) shall be inserted thereunder :—

**XIV. Genesis Institute of
 Dental Sciences and
 Research, Ferozpur (Punjab)**

- | | |
|--------------------------------------|--|
| (i) Bachelor of Dental Surgery | BDS, Baba Farid University of Health Sciences,
Faridkot (Punjab). |
| (If granted on or
after 9-6-2009) | |

[F. No. V-12017/25/2005-D.E.]
 R. SANKARAN, Under Secy.

विदेश मंत्रालय

(सी.पी.वी. प्रभाग)

नई दिल्ली, 12 अगस्त, 2009

का.आ. 2397.—राजनयिक और कोंसलीय ऑफिसर (शपथ और फीस) के अधिनियम, 1948 की धारा 2 के खंड (क) के अनुसरण में, केन्द्र सरकार एतद्वारा श्री राजेश खन्ना सहायक को 12-8-2009 से भारत के राजदूतावास, उलानबत्तेर में सहायक कोंसुलर अधिकारी के कर्तव्यों का पालन करने के लिए प्राधिकृत करती है।

[सं. टी-4330/1/2006]
 आर. के. पेरिन्डिया, अवर सचिव (कोंसुलर)

MINISTRY OF EXTERNAL AFFAIRS

(C. P. V. Division)

New Delhi, the 12th August, 2009

S.O. 2397.—In pursuance of the clause (a) of the Section 2 of the Diplomatic and Consular Officers (Oaths and fees) Act, 1948 (41 of 1948), the Central Government hereby authorise Shri Rajesh Khanna, Assistant in the Embassy of India, Ulaanbaatar to perform the duties of Assistant Consular Officer with effect from 12th August, 2009.

[No. T. 4330/01/2006]
 R. K. PERINDIA, Under Secy. (Consular)

नई दिल्ली, 20 अगस्त, 2009

का.आ. 2398.—राजनयिक और कॉसलीय ऑफिसर (शपथ और फीस) के अधिनियम, 1948 की धारा 2 के खंड (क) के अनुसरण में, केन्द्र सरकार एतद्वारा श्री मति बानी मुकर्जी और श्री उमाकात शर्मा सहायक को 20-8-2009 से भारत के राजदूतावास, स्टाकहोम में सहायक कॉसलर अधिकारी के कर्तव्यों का पालन करने के लिए प्राधिकृत करती है।

[सं. टी-4330/1/2006]

आर. के. पेरिन्डिया, अवर सचिव (कॉसलर)

New Delhi, the 20th August, 2009

S.O. 2398.—In pursuance of the clause (a) of the Section 2 of the Diplomatic and Consular Officers (Oaths and fees) Act, 1948 (41 of 1948), the Central Government hereby authorise Smt. Bani Mukherjee and Shri Umakant Sharma, Assistant in the Embassy of India, Stockholm to perform the duties of Assistant Consular Officers with effect from 20th August, 2009.

[No. T-4330/01/2006]

R. K. PERINDIA, Under Secy. (Consular)

वस्त्र मंत्रालय

नई दिल्ली, 25 अगस्त, 2009

का.आ. 2399.—केन्द्रीय सरकार, संघ के शासकीय प्रयोजनों के लिए राजभाषा नियम 1976 के नियम 10 के उपनियम 4 के अनुसरण में, वस्त्र मंत्रालय के अंतर्गत आने वाले निम्नलिखित कार्यालयों को जिसमें 80% से अधिक कर्मचारियों ने हिंदी का कार्यसाधक ज्ञान प्राप्त कर लिया है, अधिसूचित करती है :—

1. बुनियादी बीज प्रगति एवं प्रशिक्षण केन्द्र, बुतेरेबीस, केन्द्र अवप्रसं, केन्द्रीय रेशम बोर्ड, भागलपुर 813210 विहार।
2. नेशनल टेक्सटाइल कारपोरेशन लि., दक्षिणी क्षेत्रीय कार्यालय, एन टी सी हाउस, पोस्ट बाक्स नं. 2409, 35बी, सोमासुन्दरम मिल रोड, कोयम्बटूर 641009।
3. नेशनल टेक्सटाइल कारपोरेशन लि., उप कार्यालय, कोलकाता, कार्मिक व्यवस्था विभाग, 6, जवाहरलाल नेहरू रोड, कोलकाता।

[ई-11016/1/2009-हिन्दी]

मोनिका एस. गर्ग, संयुक्त सचिव

MINISTRY OF TEXTILES

New Delhi, the 25th August, 2009

S.O. 2399.—In pursuance of sub-rule (4) of Rule 10 of the Official Language (use for official purpose of the Union) Rules, 1976, the Central Government, hereby, notifies the following office of the Ministry of Textiles, more than 80% staff whereof have acquired working knowledge of Hindi :—

1. Basic Seed Multiplication & Training Centre, BTSSO, CTR & TI, Central Silk Board, Bhagalpur-813210 (Bihar).
2. National Textile Corporation Ltd., Sourthern Regional Office, NTC House, P.O. Box No. 2409, 35-B, Somasundaram Mills Road, Coimbatore-641009.
3. National Textile Corporation Ltd., Sub Office, Kolkata, Department of Personnel, 6, Jawaharlal Nehru Road, Kolkata.

[No. E. 11016/1/2009-Hindi]

MONIKA S. GARG, Jt. Secy.

संचार एवं सूचना प्रौद्योगिकी मंत्रालय

(डाक विभाग)

पोस्टमास्टर जनरल (केन्द्रीय क्षेत्र) का कार्यालय

तमில்நாடு, 27 अप्रैल, 2009

का.आ. 2400.—केन्द्र सरकार की राय है कि श्री सी. आनन्दराजन, पोस्टमेन (निलंबन के अधीन), चिदम्बरनगर एसओ, टूटिकोरिन डिवीजन, तमिलनाडु सर्किल से संबंधित विभागीय जांच के लिए श्री के. अरुणाचलम, 112/सी के पीछे, सेकन्ड स्ट्रीट तीसरा मैल, शंकर कालनी, टूटिकोरिन-628 008 से दस्तावेज मंगवाना/गवाह को समन करना जरूरी है।

अतः विभागीय जांच (गवाह की हाजिरी प्रवर्तन और दस्तावेज प्रस्तुत करना) अधिनियम, 1972 (18 का 1972) की धारा (4) की उप-धारा (2) में प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार श्री एस. मारियप्पन, डाक निरीक्षक, सात्तानकुलन सब डिवीजन, टूटिकोरिन पोस्टल डिवीजन को जांच अधिकारी के रूप में प्राधिकृत करता है ताकि वे श्री सी. आनन्दराजन, पोस्टमेन (निलंबन के अधीन), चिदम्बरनगर एसओ, टूटिकोरिन डिवीजन के संबंध में कथित अधिनियम में निहित धारा 5 का प्रयोग कर सकें।

[सं. वीआईजी/4-21/01/07]

एस. पी. राजलिङ्गम, पोस्टमास्टर जनरल

MINISTRY OF COMMUNICATIONS AND
INFORMATION TECHNOLOGY

(Department of Posts)

OFFICE OF THE POSTMASTER GENERAL
(CENTRAL REGION)

Tamilnadu, the 27th August, 2009

S.O. 2400.—Whereas the Central Government is of opinion that for the purposes of the departmental inquiry relating to Shri C. Anandarajan, Postman (Under suspension), Chidambaranagar SO, Tuticorin Division, Tamilnadu Circle it is necessary to summon as witnesses Sri K. Arunachalam, Back to 112/c, Second Street third mile, Sankar colony, Tuticorin-628 008.

Now therefore, in exercise of the powers conferred by sub section (1) of Section 4 of the Departmental

Inquiries (Enforcement of Attendance of Witnesses and Production of Documents) Act, 1972 (18 of 1972), the Central Government hereby authorizes Shri S. Mariappan, Inspector Posts, Satankulam Sub Division, Tuticorin Postal Division as the inquiring authority to exercise the power specified in Section 5 of the said Act in relation to Shri C. Anandarajan, Postman (Under Suspension), Chidambaranagar SO, Tuticorin Dn.

[No. VIG/4-21/01/07]

S. P. RAJALINGAM, Postmaster General

तमिलनाडु, 27 अप्रैल, 2009

का.आ. 2401.—केन्द्र सरकार की राय यह है कि श्री सी. आनन्दराजन, पोस्टमेन (निलंबन के अधीन), चिदम्बरनगर एसओ, टूटिकोरिन डिवीजन, तमिलनाडु सर्किल से संबंधित विभागीय जांच के लिए श्रीमती टी. उच्चीमाकाली, W/o श्री तिरुमलैयाण्डि, आर.एस. 1 5सी-1, सोर्णम्माल कम्पउण्ड, पत्तिनाथपुरम् टूटिकोरिन-628 008 से दस्तावेज भंगवाना/गवाह को समन करना जरूरी है।

अतः विभागीय जांच (गवाह की हाजिरी प्रवर्तन और दस्तावेज प्रस्तुत करना) अधिनियम, 1972 (18 का 1972) के धारा (4) के उप-धारा (2) में प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार श्री एस. मारियप्पन, डाक निरीक्षक, सात्तानकुलन सब डिवीजन, टूटिकोरिन पोस्टल डिवीजन को जांच अधिकारी के रूप में प्राधिकृत करता है ताकि वे श्री सी. आनन्दराजन, पोस्टमेन (निलंबन के अधीन), चिदम्बरनगर एसओ, टूटिकोरिन डिवीजन के संबंध में कथित अधिनियम में निहित धारा 5 का प्रयोग कर सकें।

[सं. वीआईजी/4-21/01/07]

एस. पी. राजलिङ्गम, पोस्टमास्टर जनरल

Tamilnadu, the 27th August, 2009

S.O. 2401.—Whereas the Central Government is of opinion that for the purposes of the departmental inquiry relating to Shri C. Anandarajan, Postman (Under suspension), Chidambaranagar SO, Tuticorin Postal Division, Tamilnadu Circle it is necessary to summon as witnesses Smt. A Sundari, W/o Sri K. Arunachalam, Back to 112/C, Second Street third mile, Sankar colony, Tuticorin-628 008.

Now therefore, in exercise of the powers conferred by sub section (1) of Section 4 of the Departmental Inquiries (Enforcement of Attendance of Witnesses and Production of Documents) Act, 1972 (18 of 1972), the Central Government hereby authorizes Shri S. Mariappan, Inspector Posts, Satankulam Sub Division, Tuticorin Postal Division as the inquiring authority to exercise the power specified in Section 5 of the said Act in relation to Shri C. Anandarajan, Postman (Under Suspension), Chidambaranagar SO, Tuticorin Dn.

[No. VIG/4-21/01/07]

S. P. RAJALINGAM, Postmaster General

तमिलनाडु, 27 अप्रैल, 2009

का.आ. 2402.—केन्द्र सरकार की राय यह है कि श्री सी. आनन्दराजन, पोस्टमेन (निलंबन के अधीन), चिदम्बरनगर एसओ, टूटिकोरिन डिवीजन, तमिलनाडु सर्किल से संबंधित विभागीय जांच के लिए श्रीमती टी. उच्चीमाकाली, W/o श्री तिरुमलैयाण्डि, आर.एस. 1 5सी-1, सोर्णम्माल कम्पउण्ड, पत्तिनाथपुरम् टूटिकोरिन-628 008 से दस्तावेज भंगवाना/गवाह को समन करना जरूरी है।

अतः विभागीय जांच (गवाह की हाजिरी प्रवर्तन और दस्तावेज प्रस्तुत करना) अधिनियम, 1972 (18 का 1972) के धारा (4) के उप-धारा (2) में प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार श्री एस. मारियप्पन, डाक निरीक्षक, सात्तानकुलन सब डिवीजन, टूटिकोरिन पोस्टल डिवीजन को जांच अधिकारी के रूप में प्राधिकृत करता है ताकि वे श्री सी. आनन्दराजन, पोस्टमेन (निलंबन के अधीन), चिदम्बरनगर एसओ, टूटिकोरिन डिवीजन के संबंध में कथित अधिनियम में निहित धारा 5 का प्रयोग कर सकें।

[सं. वीआईजी/4-21/01/07]

एस. पी. राजलिङ्गम, पोस्टमास्टर जनरल

Tamilnadu, the 27th April, 2009

S.O. 2402.—Whereas the Central Government is of opinion that for the purposes of the departmental inquiry relating to Shri C. Anandarajan, Postman (Under suspension), Chidambaranagar SO, Tuticorin Postal Division, Tamilnadu Circle if is necessary to summon as witnesses Smt. T. Uchimahali, W/o Sri Thirumalayandi, R. S. 1 5C-1, Somammal Compound, Pathinathapuram, Tuticorin-628 008.

Now therefore, in exercise of the powers conferred by sub section (1) of Section 4 of the Departmental Inquiries (Enforcement of Attendance of Witnesses and Production of Documents) Act, 1972 (18 of 1972), the Central Government hereby authorizes Shri S. Mariappan, Inspector Posts, Satankulam Sub Division, Tuticorin Postal Division as the inquiring authority to exercise the power specified in Section 5 of the said Act in relation to Shri C. Anandarajan, Postman (Under Suspension), Chidambaranagar SO, Tuticorin Dn.

[No. VIG/4-21/01/07]

S. P. RAJALINGAM, Postmaster General

तमिलनाडु, 27 अप्रैल, 2009

का.आ. 2403.—केन्द्र सरकार की राय यह है कि श्री सी. आनन्दराजन, पोस्टमेन (निलंबन के अधीन), चिदम्बरनगर एसओ, टूटिकोरिन डिवीजन, तमिलनाडु सर्किल से संबंधित विभागीय जांच के लिए श्री तिरुमलैयाण्डि, आर.एस. 1 5सी-1 सोर्णम्माल कम्पउण्ड, पत्तिनाथपुरम् टूटिकोरिन-628 008 से दस्तावेज भंगवाना/गवाह को समन करना जरूरी है।

अतः विभागीय जांच (गवाह की हाजिरी प्रवर्तन और दस्तावेज प्रस्तुत करना) अधिनियम, 1972 (18 का 1972) के धारा (4) के उप-धारा (2) में प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार श्री एस. मारियप्पन, डाक निरीक्षक, सात्तानकुलम सब डिवीजन, टूटिकोरिन पोस्टल डिवीजन को जांच अधिकारी के रूप में प्राधिकृत करता है ताकि वे श्री सी. आनन्दराजन, पोस्टमेन (निलंबन के अधीन), चिदम्बरनगर एसओ, टूटिकोरिन डिवीजन के संबंध में कथित अधिनियम में निहित धारा 5 का प्रयोग कर सकें।

[सं. बीआईजी/4-21/01/07]

एस. पी. राजलिंगम, पोस्टमास्टर जनरल

Tamilnadu, the 27th April, 2009

S.O. 2403.—Whereas the Central Government is of opinion that for the purposes of the departmental inquiry relating to Shri C. Anandarajan, Postman (Under suspension), Chidambaranagar SO, Tuticorin postal Division, Tamilnadu Circle it is necessary to summon as witnesses Sri Thirumalayandi. R. S. 1 5C-1, Sornammal Compound, Pathinathapuram, Tuticorin-628 008.

Now therefore, in exercise of the powers conferred by sub section (1) of Section 4 of the Departmental Inquiries (Enforcement of Attendance of Witnesses and Production of Documents) Act, 1972 (18 of 1972), the Central Government hereby authorizes Shri S. Mariappan, Inspector Posts, Satankulam Sub Division, Tuticorin Postal Division as the inquiring authority to exercise the power specified in Section 5 of the said Act in relation to Shri C. Anandarajan, Postman (Under Suspension), Chidambaranagar SO, Tuticorin Dn.

[No. VIG/4-21/01/07]

S. P. RAJALINGAM, Postmaster General

तमिलनाडु, 27 अप्रैल, 2009

का.आ. 2404.—विभागीय जांच (गवाह की हाजिरी प्रवर्तन और दस्तावेज प्रस्तुत करना) अधिनियम, 1972 (18 का 1972) के धारा (4) के उप-धारा (2) में प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार श्री एस. मारियप्पन, डाक निरीक्षक, सात्तानकुलम सब डिवीजन, टूटिकोरिन पोस्टल डिवीजन को विभागीय जांच के अवसर पर (सरकारी कर्मचारियों के बाग में) धारा (4) के उप-धारा (2) में प्रदत्त केन्द्र सरकार के शक्तियों का प्रयोग करने के लिए प्राधिकृत किया जाता है।

[सं. बीआईजी/4-21/01/07]

एस. पी. राजलिंगम, पोस्टमास्टर जनरल

Tamilnadu, the 27th August, 2009

S.O. 2404.—In exercise of the powers conferred by sub-section (2) of Section 4 of the Departmental Inquiries (Enforcement of Attendance of Witnesses and Production

of Documents) Act, 1972 (18 of 1972), the Central Government hereby specifies Shri S. Mariappan, Inspector Posts, Satankulam Sub Division, Tuticorin Postal Division as an authority to exercise the power conferred on the Central Government by sub section (1) of Section 4 of the said Act in respect of (category of Government servants) against whom a departmental inquiry may be held.

[No. VIG/4-21/01/07]

S. P. RAJALINGAM Postmaster General

उपभोक्ता मामले, खाद्य और सार्वजनिक वितरण मंत्रालय

(उपभोक्ता मामले विभाग)

भारतीय मानक ब्यूरो

नई दिल्ली, 20 अगस्त, 2009

का.आ. 2405.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिन मानकों के विवरण नीचे अनुसूची में दिए गए हैं वे स्थापित हो गए हैं :—

अनुसूची

क्रम स्थापित भारतीय मानक	नये भारतीय मानक	स्थापित तिथि
सं. (कों) की संख्या वर्ष	द्वारा अतिक्रमित	
और शीर्षक	भारतीय मानक अथवा	
	मानकों, यदि कोई हो,	
	की संख्या और वर्ष	
(1) (2)	(3)	(4)
(1) आई एस 1990:2009- वायलर हेतु इस्पात के रिवेट एवं स्टे बार (दूसरा पुनरीक्षण)	आई एस 1990 : 1973	30 अप्रैल, 2009

इस भारतीय मानक की प्रतियों भारतीय मानक ब्यूरो, मानक भवन, 9 बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों: नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों: अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूर्णे तथा तिरुवनन्तपुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ : एमटीडी 4/टी-10]

श्री पी. धोष, वैज्ञानिक 'ई' एवं प्रमुख (एमटीडी)
MINISTRY OF CONSUMER AFFAIRS, FOOD AND
PUBLIC DISTRIBUTION

(Department of Consumer Affairs)

BUREAU OF INDIAN STANDARDS

New Delhi, the 20th August, 2009

S.O. 2405.—In pursuance of clause (b) of sub-rule (1) of Rules 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed have been established on the

date indicated against each :—

SCHEDULE

Sl. No.	No. & year of the Indian Standards Established	No. & year of Indian Standards, if any, Superseded by the New Indian Standard	Date of Established
(1)	(2)	(3)	(4)
1.	IS 1990 : 2009- Steel rivets and stay bars for boilers (second revision)	IS 1990 : 1973	30 April 2009

Copy of this Standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-110 002 and Regional Offices: New Delhi, Kolcatta, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneshwar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[Ref: MTD 4/T-10]

SHRI P. GHOSH, Scientist 'E' & Head (MTD)

नई दिल्ली, 21 अगस्त, 2009

का.आ. 2406.—भारतीय मानक ब्यूरो प्रमाणन विनियम, 1988 के नियम 4 के उप-विनियम (5) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिन लाइसेंसों के विवरण नीचे अनुसूची में दिए गए हैं, वे स्वीकृत कर दिए गए हैं :—(माह । फरवरी, 2009 से 30 जून, 2009)

अनुसूची

क्रम सं	लाइसेंस सं. सीएम/एल-	स्वीकृत करने की तिथि वर्ष/माह	लाइसेंसधारी का नाम व पता	भारतीय मानक का शीर्षक भा. मा. संख्या भाग अनु वर्ष
1	2	3	4	5
1.	9708392	05-02-2009	मै. प्रीमियर मिल्क फूड प्रा. लि. एफ-1, नैना अपार्टमेंट, 179/5 सिविल लाइन्स, स्टेशन रोड, जिला-बरेली, यू.प्र.	IS 13334 : Part 1 : 1998 स्किल्ड मिल्क पावडर-भाग-। स्टैण्डर्ड ग्रेड
2.	9708493	05-02-2009	मै. जयं दुर्गे बाबा पाइप इण्ड. विलेज-कोलबाज बहादुर, पोस्ट-भवरनाथ, जिला-आजमगढ़	IS 458 : 2003 प्रीकास्ट कंक्रीट पाइप्स
3.	9709091	06-02-2009	मै. आरावली इन्फ्रापावर लि., प्लाट नं. 7, फेस 2, सिडकल इण्डस्ट्रियल पार्क, कल्डकर्ट्स फार ओवरहेड ट्रान्समिशन पर्फेज सितारांग जिला-ऊद्यमसिंह नगर, उत्तराखण्ड	IS 398 : Part 2 : 1996 एल्यूमीनियम भाग-2 एल्यूमिनियम कल्डकर्ट्स, गैल्वनाइज्ड स्टील रेनफोर्स्ड
4.	9709192	06-02-2009	मै. तेज बोटलर्स प्रा. लि. 521/154, बाबा चांद गंज, बीपी रोड, महानगर जिला-लखनऊ	पैकेज्ड डिकिंग वाटर/अदर देन पैकेज्ड नेचुरल मिनरल वाटर) IS 14543 : 2004
5.	9710379	12-02-2009	मै. गुप्ता पावर इन्फ्रास्ट्रक्चर लि., प्लाट नं. 132, 132ए एवं 132बी, नन्द नगर इण्डस्ट्रियल इस्टेट, फेस-II, महुआ खेडा गंज, काशीपुर, जिला-ऊद्यमसिंह नगर, उत्तराखण्ड	क्रासलिंकड पालीथिलिन इन्सुलेटेड पीवीसी सीथेड केबल्स : भाग-। फार वर्किंग वोल्टेज अपटु एण्ड इन्क्लूडिंग 1100 वोल्ट आईएस : 7098 : भाग । : 1988
6.	9710480	12-02-2009	मै. गुप्ता पावर इन्फ्रास्ट्रक्चर लि., प्लाट नं. 132, 132ए एवं 132बी, नन्द नगर इण्डस्ट्रियल इस्टेट, फेस-II, महुआ खेडा गंज, काशीपुर, जिला-ऊद्यमसिंह नगर, उत्तराखण्ड	पीवीसी इन्सुलेटेड हैवी ह्यूटी इलेक्ट्रिक केबल्स : भाग-। फार वर्किंग वोल्टेज अपटु एण्ड इन्क्लूडिंग 1100 वोल्ट आई एस : 1554 भाग । : 1988
7.	9711078	18-02-2009	मै. विनीत प्लास्टिक्स लिमिटेड, सी-21/4 क, मल्डहिया, जिला वाराणसी, यूपी,	यूपीवीसी पाइप्स फार पोटेबल वाटर सप्लाइ IS 4985 : 2000

1	2	3	4	5
8.	9712181	25-02-2009	मै. एसपी सीलिंग प्रोडक्ट्स लिमिटेड, ए-7, यूपीएसआईडीसी, इण्डस्ट्रियल एरिया, गजरोला, ज़िला उथोतबा फुले नगर, यूपी	रबर होज फार लिक्विफाइड पेट्रोलियम गैस एल पी जी आई एस : 9573 : 1998
9.	9712383	26-02-2009	मै. अग्रवाल जेवेल्स एण्ड गेम्स प्रा. लि. जे-1, चन्द्रमा बाजार, भूतनाथ, इंदिरा नगर, ज़िला-लखनऊ, यूपी	गोल्ड एण्ड गोल्ड एलाएज, ज्वैलरी एलाएज/ आर्टिफैक्ट्स-फाइनेस एण्ड मार्किंग IS 1417 : 1999
10.	9713284	03-03-2009	मै. हजारीलाल गौरी शंकर ज्वैलर्स, पुराना बाजार, ज़िला-बदायूँ, यूपी	गोल्ड एण्ड गोल्ड एलाएज, ज्वैलरी एलाएज/ आर्टिफैक्ट्स-फाइनेस एण्ड मार्किंग IS 1417 : 1999
11.	9715086	09-03-2009	मै. सुपर हाउस लिमिटेड, बी-6, साइट-1, इण्डस्ट्रियल एरिया, यूपीएसआईडीसी ज़िला-उन्नाव, यूपी	सेफटी, प्रोटेक्टिव एण्ड आक्युपेशनल फुटवियर फार प्रोफेशनल यूज-भाग : 2 स्पेसिफिकेशन फार सेफटी फुटवियर आईएस 15298 : भाग-2:2002
12.	9715692	16-03-2009	मै. सीटीएस इन्फ्राटेक प्रा. लि. 12/10, मारवारी गंज, ज़िला-बरेली, यूपी	एरियल बन्चेड केबल्स फार वर्किंग वोल्टेजे अपटु एण्ड इन्कलूडिंग 1100 वोल्ट आईएस 14255 : 1995
13.	9716189	17-03-2009	मै. अभिनव स्टील्स प्रा. लि., प्लाट नं. ए-18,19,25,26, एण्ड 27 सिडा, सथारिया, ज़िला-जौनपुर, यूपी	कार्बन स्टील कास्ट बैलेट इगनॉट्स, बैलट्स, ब्लूम्स एण्ड स्लोब्स फार रि-रोलिंग इन्टू लो टेनसाइल स्ट्रक्चरल स्टील्स आईएस 2831 : 2001
14.	9720382	06-04-2009	मै. मंगला प्लाईवुड प्रा. लि., 10 किमी. स्टोन, नगीना रोड, ज़िला-बिजनौर	प्लाईवुड फार जनरल पर्पजेज आईएस 303 : 1989
15.	9720483	06-04-2009	मै. मंगला प्लाईवुड प्रा. लि., 10 किमी. स्टोन, नगीना रोड, ज़िला-बिजनौर	ब्लाक बोर्ड आईएस 1659 : 2004
16.	9720584	06-04-2009	मै. मंगला प्लाईवुड प्रा. लि., 10 किमी स्टोन, नगीना रोड, ज़िला-बिजनौर	बुडेन फलश डोर शटर्स (सालिड कोर टाइप) भाग - 1 : प्लाईवुड फेस पैनल्स IS 2202 : Part-1:1999
17.	9722487	16-04-2009	मै. मेघालय प्लाईवुड प्रा. लि., तारा का पुरवा, तिवारीगंज, फैजाबाद रोड, चिनहट, लखनऊ	बुडेन फलश डोर शटर्स (सालिड कोर टाइप) आईएस 303 : 1989
18.	9722588	16-04-2009	मै. मेघालय प्लाईवुड प्रा. लि., तारा का पुरवा, तिवारीगंज, फैजाबाद रोड, चिनहट, लखनऊ	बुडेन फलश डोर शटर्स (सालिड कोर टाइप) भाग - 1 : प्लाईवुड फेस पैनल्स IS 2202 : Part : 1999
19.	9722689	16-04-2009	मै. मेघालय प्लाईवुड प्रा. लि., तारा का पुरवा, तिवारीगंज, फैजाबाद रोड, चिनहट, लखनऊ	ब्लाक बोर्ड आईएस 1659 : 2004

1	2	3	4	5
20.	9721990	20-04-2009	मै. पन्ना लाल कपूर गोल्ड डीलर 4 एवं 6 हलवसिया मार्केट, हजरतगंज, जिला- लखनऊ	गोल्ड एण्ड गोल्ड एलाएज, ज्वैलरी एलाएज/ आर्टिफैक्ट्स-फाइनेंस एण्ड मार्किंग IS 1417 : 1999
21.	9721485	21-04-2009	मै. इण्डया पेस्टीसाइड्स लि., प्लाट नं. ई-17, 18 से 23, यूपीएसआईडीसी इण्डस्ट्रियल एरिया., चिनहट, देवा रोड, जिला- लखनऊ, यूपी	डाइव्सोरवास इमल्सिफिएबल कन्सेन्ट्रेट्स आईएस 5277 : 1978
22.	9722891	22-04-2009	मै. रहीद दाद खान ग्राम-उरलिया, पोस्ट खटिया, जिला-बदायूँ, यूपी	डीपवेल हैण्डपम्प्स, कम्पानेन्ट्स एण्ड स्पेशल ट्रूल्स आई एस 15500 भाग 2 : 2004
23.	9723893	24-04-2009	मै. प्रभु इलेक्ट्रिकल इण्डस्ट्रीज इण्डया 41/537, गंगा देंग लेन, अपोजिट सरस्वती वाटिका विद्यालय, नरही, जिला-लखनऊ, यूपी	प्रापेलर टाइप एसी वेन्टीलेटिंग फैन्स आईएस 2312 : 1967
24.	9728705	22-05-2009	मै. राजश्री फूड एण्ड बेवरेजेज 1/336ए विराट खण्ड, गोमतीनगर, जिला- लखनऊ	पैकेज्ड डिकिंग वाटर (अदर देन पैकेज्ड नेचुरल मिनरल वाटर) IS 14543 : 2004
25.	9730890	09-06-2009	मै. गेक प्लास्ट कन्टेनर्स प्रा. लि., सी-25-26, सेक्टर-20, इण्डस्ट्रियल एरिया, जगदीशपुर, जिला-सुलतानपुर, यू.पी.	बुडेन फलश डोर शटर्स (सालिड कोर टाइप) भाग -1 : प्लाईवुड फेस पैनल्स IS 2202 : Part-I : 1999
26.	9730991	09-06-2009	मै. गेक प्लास्ट कन्टेनर्स प्रा. लि., सी-25-26, सेक्टर-20, इण्डस्ट्रियल एरिया, जगदीशपुर, जिला-सुलतानपुर, यू.पी.	प्लाईवुड फार जनरल पर्फेजेज आईएस 303 : 1989
27.	9731286	11-06-2009	मै. पशुपति एवरेस्ट प्लाईवुड के-2, के-3 इण्डस्ट्रियल एरिया, परसाखेडा बरेली, यू.पी.	बुडेन फलश डोर शटर्स (सालिड कोर टाइप) भाग -1 : प्लाईवुड फेस पैनल्स IS 2202 : Part-I : 1999
28.	9731387	11-06-2009	मै. महावीर इण्डस्ट्रीज, बी-66, परसाखेडा, इण्डस्ट्रियल एरिया, रोड नं. 4 बरेली, यू.पी.	बुडेन फलश डोर शटर्स (सालिड कोर टाइप) भाग -1 : प्लाईवुड फेस पैनल्स IS 2202 : Part-I : 1999
29.	9731488	11-06-2009	नीलकंठ लिक्वर एण्ड डिस्टिलरीज प्रा. लि., 403 आरिफ पैलेस कोर्ट, 6/6 माल एरीना, लखनऊ, यू.पी.	पैकेज्ड डिकिंग वाटर (अदर देन पैकेज्ड नेचुरल मिनरल वाटर) IS 14543 : 2004
30.	9732288	12-06-2009	मै. बजाज ईको-टेक प्रोडक्ट्स लि., ग्राम एवं पोस्ट-पलिया कला, जिला-खोरी, यू.पी.	प्रीलेमिनेटेड मीडियम डेन्सिटी फाइबर बोर्ड आईएस 14587 : 1998
31.	9732389	12-06-2009	मै. ए के पैनल प्रोडक्ट विलेज उत्तरधौना, तिवारीगंज, फैजाबाद रोड, लखनऊ, यू.पी.	बुडेन फलश डोर शटर्स (सालिड कोर टाइप) भाग -1 : प्लाईवुड फेस पैनल्स IS 2202 : Part I : 1999

1	2	3	4	5
32.	9732490	15-06-2009	मै. वीनियर सा मिल्स गुप्ता जी का हाथ , दूसरा मोती नगर लेन, एश बाग रोड, जिला लखनऊ, यू.पी.	प्लाईवुड फार जनरल पर्फेज आईएस 303 : 1989
33.	9732591	15-06-2009	मै. वीनियर सा मिल्स गुप्ता जी का हाथ , दूसरा मोती नगर लेन, एश बाग रोड, जिला लखनऊ यू.पी.	बुडेन फलश डोर शर्टस (सालिड कोर टाइप) भाग -1 : प्लाईवुड फेस ऐनल्स IS 2202 : Part I : 1999
34.	9732692	15-06-2009	मै. वीनियर सा मिल्स गुप्ता जी का हाथ , दूसरा मोती नगर लेन, एश बाग रोड, जिला लखनऊ, यू.पी.	ब्लाक बोर्ड्स आईएस 1659 : 2004
35.	9732793	15-06-2009	मै. शालीमार इंजीनियर्स, 20, मुरारी नगर, फैजाबाद रोड, जिला लखनऊ यू.पी.	प्रीकास्ट कंक्रीट पाइप्स IS 458 : 2003
36.	9734191	18-06-2009	ए बी एस बेवरेजे प्रा. लि. यूनिट नं. 2 प्रथम तल प्राइम प्लाजा, मुंशी पुलिया, इंदिरा नगर, जिला लखनऊ, यू.पी.	पैकेज्ड डिकिंग वाटर (अदर देन पैकेज्ड नेचुरल मिनरल वाटर) IS 14543 : 2004
37.	9734595	19-06-2009	मै. बजाज ईको-टेक प्रोडक्ट्स लि., ग्राम कुन्दरीची, पीओ-गोविन्दपुरा जिला-गोण्डा, यू.पी.	प्रीलेमिनेटेड मीडियम डेन्सिटी फाइबर बोर्ड आईएस 14587 : 1998
38.	9735803	29-06-2009	मै. शकुम्भरी स्ट्रा प्रोडक्ट्स लि., बी. 92, गांधीनगर, जिला-मुरादाबाद, यू.पी.	राइटिंग एंड प्रिंटिंग पेपर आईएस 1848 : 1991

[सं. सी एम डी/13 : 11]

पी. के. गम्भीर, उपमहानिदेशक (मुहर)

New Delhi, the 21st August, 2009

S. O. 2406.—In pursuance of sub-regulation (5) of the regulation 4 of the Bureau of Indian Standards (Certification) Regulation 1988, of the Bureau of Indian Standards, hereby notifies the grant of particulars of which are given in the following schedule. (Period from 01-02-2009 to 30-06-2009)

SCHEDULE

Sl. No.	Licence no. CM/L	Grant Date	Name & Address of the Party	Title of the Standard IS No. Part Sec. Year
1	2	3	4	5
1.	9708392	05-02-2009	M/s PREMIER MILK FOODS (P) LTD F-1 Naina Apartments, 179/5 Civil Lines, Station Road, Distt: Bareilly, U. P.	Skimmed Milk Powder Specification - Part 1 : Standard Grade IS 13334 : Part 1 : 1998
2.	9708493	05-02-2009	M/s JAY DURGEY BABA PIPE IND. Vill-Koibaz Bahadoor, Post-Bhawarnath, Distt : Azamgarh.	Precast Concrete Pipes (with and without Reinforcement) IS 458 : 2003

1	2	3	4	5
3.	9709091	06-02-2009	M/s ARAVALI INFRAPOWER LIMITED Plot No-7, Phase-2, SEDCUL Industrial Park, Sitarganj, Distt : U. S. Nagar, Uttarakhand.	Aluminium conductors for overhead transmission purposes: Part 2 Aluminium conductors, galvanized steel reinforced IS 398 : Part 2 : 1996
4.	9709192	06-02-2009	M/s TEJ BOTTLERS PVT LTD 521/154, Bada Chandganj, B.P.Road, Mahanagar, Distt : Lucknow, U. P.	Packaged Drinking Water (other than Packaged Natural Mineral Water) - Specification IS 14543 : 2004
5.	9710379	12-02-2009	M/s Gupta Power Infrastructure LTD., Plot No.132, I32A & I32B, Nand Nagar Industrial Estate, Phase II, Mahua Khera Ganj, Kashipur Distt : U. S. Nagar, Uttarakhand.	Crosslinked polyethylene insulated PVC sheathed cables: Part 1 For working voltage upto and including 1100 V IS 7098: Part 1 : 1988
6.	9710480	12-02-2009	M/s Gupta Power Infrastructure LTD., Plot No.132, I32A & I32B, Nand Nagar Industrial Estate, Phase II, Mahua Khera Ganj, Kashipur Distt : U. S. Nagar, Uttarakhand,	PVC insulated (heavy duty) electric Cables: Part 1 For working voltages upto and including 1100 V IS 1554 : Part 1 : 1988
7.	9711078	18-02-2009	M/s VINEET PLASTICS LIMITED C-21/4 KA, MALDAHIYA” Distt : Varanasi, U. P.	Un plasticized PVC Pipes for Potable Water Supplies - Specification IS 4985 : 2000
8.	9712181	25-02-2009	M/s ASP SEALING PRODUCTS LIMITED A-7, UPSIDE, Industrial Area, Gajraula, Distt : Jyotiba Phule Nagar, U. P.	Rubber hose for liquefied petroleum gas (LPG) - Specification IS 9573 : 1998
9.	9712383	26-02-2009	M/s Agarwal Jewels & Gems Pvt. LTD. G-1, Chandrama Bazar, Bhootnath, Indira Nagar, Distt: Lucknow, U. P	Gold and Gold Alloys, Jewellery/ Artefacts-Fineness and Marking - Specification IS 1417 : 1999
10.	9713284	03-03-2009	M/s HazariLal Gauri Shanker Jewellers Purana Bazar, Distt : Budaun, U. P.	Gold and Gold Alloys, Jewellery/ Artefacts-Fineness and Marking - Specification IS 1417 : 1999
II.	9715086	09-03-2009	M/s Superhouse LIMITED B-6, Site-I, Industrial Area, UPSIDC” Distt: Unnao, U. P.	Safety, Protective and Occupational Footwear for Professional use - Part 2 : Specification for Safety Footwear IS 15298 : Part 2 : 2002
12.	9715692	16-03-2009	M/s C T S INFRATECH PVT LTD 12/10, Marwari ganj, Distt : Bareilly, U. P.	Aerial Bunched Cables for working Voltages upto and including 1100 Volts- specification IS 14255 : 1995
13.	9716189	17-03-2009	M/s ABHINAV STEELS PVT. LTD. Plot No A 18,19,25,26 & 27 SIDA, SATHARIYA, Distt: Jaunpur, U. P.	Carbon Steel Cast Billet Ignots, Billets, Blooms and Slabs For Re-rolling into Low Tensile Structural Steel - Specification IS 2831 : 2001
14.	9720382	06-04-2009	M/s MANGLA PLYWOOD PVT LTD 10 Km. Stone, Nagina Road, Distt : Bijnor, U. P.	plywood for general purposes IS 303 : 1989
15.	9720483	06-04-2009	M/s MANGLA PLYWOOD PVT LTD 10 Km. Stone, Nagina Road” Distt : Bijnor, U. P.	Block Boards IS 1659:2004

1	2	3	4	5
16.	9720584	06-04-2009	M/s Mangla Plywood Pvt. Ltd. 10 Km. Stone, Nagina Road, Distt : Bijnor, U.P.	Wooden flush door shutters (solid core type): Part I Plywood face panels IS 2202: Part I : 1999
17.	9722487	16-04-2009	M/s Meghalaya Timber Products Tara Ka Purwa, Tiwariganj, Faizabad Road, Chinhat, Distt : Lucknow,	Plywood for general purposes IS 303 : 1989
18.	9722588	16-04-2009	M/s Meghalaya Timber Products Tara Ka Purwa, Tiwariganj, Faizabad Road, Chinhat, Lucknow, U P	Wooden flush door shutters (solid core type): Part I Plywood face panels IS 2202 : Part I : 1999
19.	9722689	16-04-2009	M/s Meghalaya Timber Products Tara Ka Purwa, Tiwariganj, Faizabad Road, Chinhat, Distt : Lucknow, U P	Block Boards IS 1659:2004
20.	9721990	20-04-2009	M/s Panna Lal Kapoor Gold Dealer 4&6 Halwasia Market Hazratganj, Distt : Lucknow, U P	Gold and Gold Alloys, Jewellery/- Artefacts Fineness and Marking - Specification IS 14171:1999
21.	9721485	21-04-2009	M/s India Pesticides Ltd Plot No. E-17 ,18 To 23, UPSIDC Industrial Area, Chinhat, Deva Road, Distt : Lucknow U.P.	Dichlorvos Emulsifiable Concentrates IS 5277 : 1978
22.	9722891	22-04-2009	M/s Rahim Dad Khan Gram-Uraliya, Post-Khtiya, Distt : Budaun, U P	Deepwell handpumps, Components and Special Tools- Handpumps IS 15500 : Part 2 : 2004
23.	9723893	24-04-2009	Prabhu Electrical Industries (India) 41/537, Ganga Dei Lane, Opp. Saraswati Balika Vidyalaya, Narahi, Distt : Lucknow, U.P.	Propeller type ac ventilating fans IS 2312 : 1967
24.	9728705	22-05-2009	M/s Rajshri Food & Beverages 1/336, Virat Khand, Gomtinagar, Distt : Lucknow, U.P.	Packaged Drinking Water (other than Packaged Natural Mineral Water) IS 14543 : 2004
25.	9730890	09-06-2009	M/s Gak Plast Containars Pvt. Ltd. C-25-26, Sector-20, Industrial Area, Jagdishpur, Distt : Sultanpur, U.P.	Wooden flush door shutters (solid Core type) Part I Plywood face panels IS 2202 : Part I : 1999
26.	9730991	09-06-2009	M/s Gak Plast Containars Pvt. Ltd. C-25-26, Sector-20, Industrial Area, Jagdishpur, Distt : Sultanpur, U.P.	Plywood for general purposes IS 303: 1989
27.	9731286	11-06-2009	M/s Pashupati Everest Plywood Wooden flush door shutters (solid core type): Part I Plywood face panels Distt : Bareilly, Uttar Pradesh.	K-2, K-3 Industrial Area, Persakhera, IS 2202 : Part I : 1999
28.	9731387	11-06-2009	M/s Mahaveer Industries B-66, Parsakhera Industrial Area, Road No.4, Distt : Bareilly, U.P.	Wooden flush door shutters (solid core type): Part I Plywood face panels IS 2202 : Part I : 1999
29.	9731488	11-06-2009	Neel Kanth Liquor & Distilleries (P) Ltd 403 Arif Palace Court, 6/6 Mall Arena, Distt: Lucknow, U.P.	Packaged Drinking Water (other than Packaged Natural Mineral Water) IS 14543 : 2004
30.	9732288	12-06-2009	M/s Bajaj Eco-Tec Products Ltd. Vill-Pallia Kalan, P.O-Pallia Kalan, Distt : Kheri, U P	Prelaminated medium density fibre board IS 14587 : 1998
31.	9732389	12-06-2009	M/s A K Panel Product Vill.Uttardhauna, Tiwariganj Faizabad Road, Distt : Lucknow, U P	Wooden flush door shutters (solid core type): Part I Plywood face panels IS 2202 : Part I : 1999

1	2	3	4	5
32.	9732490	15-06-2009	M/s Veneer Saw Mills Gupta Ji Ka Hath, 2nd Moti Nagar Lane, Aish Bagh Road Distt : Lucknow, U.P.	Plywood for general purposes IS 303 : 1989
33.	9732591	15-06-2009	M/s Veneer Saw Mills Gupta Ji Ka Hath, 2nd Moti Nagar Lane, Aish Bagh Road, Distt : Lucknow, U.P.	Wooden flush door shutters (solid core type): Part I Plywood face panels IS 2202: Part I : 1999
34.	9732692	15-06-2009	M/s Veneer Saw Mills Gupta Ji Ka Hath, 2nd Moti Nagar Lane, Aish Bagh Road, Distt : Lucknow, U.P.	Block Boards IS 1659:2004
35.	9732793	15-06-2009	M/s Shalimar Engineers 20, Murari Nagar, Faizabad Road" Distt: Lucknow, U.P.	Precast Concrete Pipes (with and without Reinforcement) IS 458 : 2003
36.	9734191	18-06-2009	ABS Beverages (P) Ltd. (Unit No. 2) 1st floor Prime Plaza, Munsi Pulia, Indra Nagar, Distt : Lucknow, UP.	Packaged drinking water (other than packaged Natural Mineral Water) IS 14543 : 2004
37.	9734595	19-06-2009	M/s Bajaj Eco-Tec Products Ltd. Vill-Kundarichi, P.O-Gobindpora,, Kunderkhi, Distt : Gonda, U.P	Prelaminated medium density fibre board IS 14587 : 1998
38.	9735803	29-06-2009	M/s Shakumbhari Straw Products Ltd. B-92, Gandhi Nagar, Distt : Moradabad, U. P.	Writing and printing paper IS 1848 : 1991.

[No. CMD/13 : 11]

P. K. GAMBHIR, Dy. Director General (Marks)

नई दिल्ली, 21 अगस्त, 2009

का.आ. 2407.—भारतीय मानक व्यूरो प्रमाणन विनियम, 1988 के नियम 4 के उपनियम (5) के अनुसरण में भारतीय मानक व्यूरो एतदवारा अधिसूचित करता है कि जिन लाइसेंसों के विवरण नीचे अनुसूची में दिए गए हैं, वे स्वीकृत कर दिए गए हैं :—

अनुसूची

क्रम सं	लाइसेंस सं ंख्या	स्वीकृत करने की तिथि/वर्ष/माह	लाइसेंसधारी का नाम व पता	भारतीय मानक का शीर्षक	भा. मा. संख्या	भाग वर्ष भाग		
1	2	3	4	5	6	7	8	9
1.	7952801	02-07-2009	द इंडिया सीमेंट्स लिमिटेड स.नं. 101, 102, 105 परली वैजनाथ जिला बीड 431515 महाराष्ट्र।	पोर्टलैंड पोजोलाना सीमेंट : भाग I फ्लाई एश आधारित	1489	01	1991	
2.	7952902	02-07-2009	द इंडिया सीमेंट्स लिमिटेड स.नं. 101, 102, 105 परली वैजनाथ जिला बीड 431515 महाराष्ट्र।	53 ग्रेड सामान्य पोर्टलैंड सीमेंट	12269		1987	
3.	7953601	08-07-2009	अल्फा प्लास्ट इरोगेशन सिस्टम्स प्लाट नं. ए-48 एम आय डी सी एरिया जिला परभणी 431401 महाराष्ट्र।	सिंचाई उपकरण-सिंचाई लेटर्लस के लिए पॉलीथिलीन पाइप	12786		1989	

1	2	3	4	5	6	7	8	9
4.	7953702	08-07-2009	अल्फा प्लास्ट इरीगेशन सिस्टम्स प्लॉट नं. ए-48 एम आय डी सी एरिया जिला परभणी 431401 महाराष्ट्र।	सिंचाई उपकरण-इमोटर्स	13487		1992	
5.	7941489	9-07-2009	अमित इंडस्ट्रीज गट संख्या 266 तोकवाडी तालुका परली-वैजनाथ जिला बीड 431515 महाराष्ट्र।	पैकेजबंद पेयजल (पैकेजबंद प्राकृतिक मिनरल जल के अलावा)	14543		2004	
6.	7950793	15-07-2009	अर्थव अकुआ स. नं. 21/2 ए/पी भाजगांव तालुका मावळ जिला पुणे, 410405 महाराष्ट्र।	पैकेजबंद पेयजल (पैकेजबंद प्राकृतिक मिनरल जल के अलावा)	14543		2004	
7.	7946907	15-07-2009	शिवांजली अकुआ गट संख्या 2/3/1 एट पोस्ट मान तालुका मुलशी जिला पुणे 411057 महाराष्ट्र।	पैकेजबंद पेयजल (पैकेजबंद प्राकृतिक मिनरल जल के अलावा)	14543		2004	
8.	7957104	20-07-2009	श्री गोपाल एजेंसी प्लॉट नं. एच-7/डी एम आय डी सी कुपवाड तालुका मिरज जिला सांगली 416436 महाराष्ट्र।	पेयजल आपूर्ति के लिए अनप्लास्टिसाइन्ड पीवीसी पाइप।	4985		2000	
9.	7943392	21-07-2009	महालक्ष्मी बेवरेजेज प्लॉट नं. ए-38, अतिरिक्त एम आय डी सी जिला लातूर 413531 महाराष्ट्र।	पैकेजबंद पेयजल (पैकेजबंद प्राकृतिक मिनरल जल के अलावा)	14543		2004	
10.	7957407	21-07-2009	सोनीगारा जैवलर्स प्रा. लि 201, मुंबई-पुणे रोड चिंचवड स्टेशन जिला पुणे 411019 महाराष्ट्र।	स्वर्ण एवं स्वर्ण मिश्रधातुएं, आभूषण/शिल्पकारी-शुद्धता एवं मुहरांकन।	1417		1999	
11.	7957306	21-07-2009	सोलंकी जैवलर्स, दुकान नं. 4, मैन रोड, शिवाजी मार्केट, सांगवी, जिला पुणे 411027 महाराष्ट्र।	स्वर्ण एवं स्वर्ण मिश्रधातुएं, आभूषण/शिल्पकारी-शुद्धता एवं मुहरांकन।	1417		1999	
12.	7957508	21-07-2009	वर्मा जैवलर्स 40, मगर अली, हडपसरं गांव, जिला पुणे 411028 महाराष्ट्र।	स्वर्ण एवं स्वर्ण मिश्रधातुएं, आभूषण/शिल्पकारी-शुद्धता एवं मुहरांकन।	1417		1999	
13.	7940083	23-07-2009	पदमश्री बॉटर सॉल्यूशंस स. नं. 676, एट पास्ट वेलू तालुका भोर जिला पुणे महाराष्ट्र।	पैकेजबंद पेयजल (पैकेजबंद प्राकृतिक मिनरल जल के अलावा)	14543		2004	
14.	7952292	23-07-2009	अकुआटेक क्रिस्टल वॉटर प्रा. लि. गट संख्या 399 गांव उरावदे तालुका मुलशी जिला पुणे 411042 महाराष्ट्र।	पैकेजबंद पेयजल (पैकेजबंद प्राकृतिक मिनरल जल के अलावा)	14543		2004	

[सं. सी एम डी/13:11]

पी. के. गम्भीर, उप-महानिदेशक (मुहर)

New Delhi, the 21st August, 2009

S. O. 2407.—In pursuance of sub-regulation (5) of the regulation 4 of the Bureau of Indian Standards (Certification) Regulations 1988, of the Bureau of Indian Standards, hereby notifies the grant of licences particulars of which are given in the following schedule :

SCHEDULE

Sl. No.	Licence No.	Grant Date	Name & Address of the Party	Title of the Standard	IS No.	Part	Sec.	Year
1	2	3	4	5	6	7	8	9
1.	7952801	02-07-2009	The India Cements Ltd S. No. 101, 102, 105, Parli Vajnath District Beed 431515 Maharashtra	Portland pozzolana cement Part 1 Flyash based	1489	01		1991
2.	7952902	02-07-2009	The India Cements Ltd S. No. 101, 102, 105, Parli Vajnath District Beed 431515 Maharashtra	53 Grade Ordinary Portland cement	12269			1987
3.	7953601	08-07-2009	Alpha Plast Irrigation Systems Plot No. A-48, MIDC Area District Parbhani 431401 Maharashtra	Irrigation equipment-Polyethylene pipes for irrigation laterals	12786			1989
4	7953702	08-07-2009	Alpha Plast Irrigation Systems Plot No. A-48, MIDC Area District Parbhani 431401 Maharashtra	Irrigation equipment-emitters	13487			1992
5.	7941489	09-07-2009	Amit Industries Gat No. 266, Tokwadi Taluka Parli-Vajnath, District Beed 431515 Maharashtra	Packaged drinking water (Other than packaged natural mineral water)	14543			2004
6.	7950793	15-07-2009	Attharva Aqua S. No. 21/2 A/P, Bhajaon Taluka Maval, District Pune 410405 Maharashtra	Packaged drinking water (Other than packaged natural mineral water)	14543			2004
7.	7946907	15-07-2009	Shivanjali Aqua Gat No. 2/3/1, At Post Maan Taluka Mulshi, District Pune 411057 Maharashtra	Packaged drinking water (Other than packaged natural mineral water)	14543			2004
8.	7957104	20-7-2009	Shri Gopal Agency Plot No. H-7/D, MIDC Kupwad Taluka Miraj District Sangli 416436 Maharashtra	Unplasticized PVC pipes 4985 for potable water supplies				2000
9.	7943392	21-7-2009	Mahalaxmi Beverages Plot No. A-38, Addl. MIDC District Latur 413531 Maharashtra	Packaged drinking water (Other than packaged natural mineral water)	14543			2004
10.	7957407	21-7-2009	Sonigara Jewellers Pvt. Ltd. 201, Mumbai-Pune Road Chinchwad Station District Pune 411019 Maharashtra	Gold and gold alloys, Jewellery/artefacts-Fineness and marking	1417			1999
11.	7957306	21-7-2009	Solanki Jewellers Shop No. 4, Main Road Shivaji Market, Sangvi District Pune 411027 Maharashtra	Gold and gold alloys, jewellery/artefacts-Fineness and marking	1417			1999
12.	7957508	21-7-2009	Verma Jewellers 40, Magar Ali Hadapsar Goan District Pune 411028 Maharashtra	Gold and gold alloys, jewellery/artefacts-Fineness and marking	1417			1999
13.	7940083	23-07-2009	Padmashri Waters Solutions S. No. 676 At Post Weli Taluka Bhor, District Pune, Maharashtra	Packaged drinking water (Other than packaged natural mineral water)	14543			2004

		3	4	5	6	7	8	9
14.	7952120	23-07-2009	Aquatech Crystal Waters Pvt Ltd Gat No. 399, Village Urawade Taluka Mulshi, District Punc 411042 Maharashtra	Packaged drinking water (Other than packaged natural (mineral water)	14543		2004	

[No. CMD/13 : 11]

P. K. GAMBHIR, Dy. Director General (Marks)

नई दिल्ली, 21 अगस्त, 2009

का.आ. 2408.—भारतीय मानक ब्यूरो प्रमाणन विनियम, 1988 के विनियम के उप-विनियम (5) के अनुसरण में भारतीय मानक ब्यूरो एतदबागा अधिसूचित करता है कि निम्न विवरण वाले लाइसेंसों को उनके आगे दर्शायी गयी तारीख से रद्द कर दिया गया है :— (माह । फरवरी 2009 से 30 जून 2009)

अनुसूची

क्रम	लाइसेंस सं	लाइसेंसधारी का नाम व पता	लाइसेंस के अंतर्गत वस्तु/प्रक्रम सम्बद्ध भारतीय मानक का शीर्षक	रद्द करने की तिथि
1	2	3	4	5
1	9591906	मि. रामा पालीमर्स प्रा.लि. विलेज-मकरा त्रिलोचन महादेव, जौनपुर-वाराणसी हाईवे, पीओ-लहगपुर, जिला जौनपुर, उ.प्र.	आईएस 1659 : 2004 ब्लॉक बोर्ड्स	17-02-2009
2	9668208	मे. अदिति इन्टरप्राइजेज विलेज-सुगामऊ, कुकरैल पिकनिक स्पॉट के पास, (अदर देन पैकेज्ड नेचुरल मिनरल वाटर) जिला लखनऊ, उ.प्र.	आईएस 14543 : 2004 पैकेज्ड ड्रिंकिंग वाटर	13-03-2009

[सं. सी एम डी/13 : 11]

पी. के. गम्भीर, उप महानिदेशक (मुहर)

New Delhi, the 21st August, 2009

S. O. 2408.—In pursuance of sub-regulation (5) of the regulation 4 of the Bureau of Indian Standards (Certification) Regulation 1988, of the Bureau of Indian Standards, hereby notifies that the licences of which are given below have been cancelled with effect from the date indicated against each : (Period from 01-02-2009 to 30-06-2009)

SCHEDULE

Sl. No.	Licence No. C.M.I.	Name & Address of the Licencee	Article/Process with relevant Indian Standard covered by The Licence cancelled/Suspension	Date of Cancellation
1	2	3	4	5
1	9591906	M/s. Rama Polimers Pvt. Ltd. Vill-Makra Trilochan Mahadev, Jaunpur-Varanasi Highway, P.O. Lahangpur. Distt : Jaunpur, U. P.	IS : 1659 : 2004 Block Boards	17-02-2009
2	9668208	M/s. Aditi Enterprises Vill-Sugamau, Near Kukrail Picnic Spot, Distt : Lucknow, Uttar Pradesh.	IS : 14543 : 2004 Packaged Drinking Water (Other than Packaged Natural Water)	13-03-2009

[No. CMD/13 : 11]

P. K. GAMBHIR, Dy. Director (Marks)

नई दिल्ली, 21 अगस्त, 2009

का.आ. 2409.—भारतीय मानक व्यूरो (प्रमाणन) विनियम, 1988 के नियम (4) के उपनियम (5) के अनुसरण में भारतीय मानक व्यूरो एतद्वारा अधिसूचित करता है कि जिन लाइसेंसों के विवरण नीचे अनुसूची में दिए गए हैं, वे स्वीकृत कर दिये गए हैं :—

अनुसूची

क्रम संख्या	लाइसेंस संख्या	चालू तिथि	लाइसेंसधारी का नाम व पता	भारतीय मानक का शीर्षक व संबंधित भारतीय मानक
(1)	(2)	(3)	(4)	(5)
जून 2009				
1.	3026033	26-05-2009	मैसर्स आदिनाथ केबल्स एण्ड कंडक्टर्स प्राइवेट लिमिटेड, ई-43-ए, रोड नं. 1 बी, विश्वकर्मा औद्योगिक क्षेत्र जयपुर- 302013 (राजस्थान)	398 (भाग 1) : 1996 एएसी
2.	3027136	29-05-2009	मैसर्स गोल्डन हैलो मल्टीट्रेड प्रा.लि., दिव्य दीप मैरीज पैलेस के ऊपर, बाजरांगढ़ चौराहा, अजमेर (राजस्थान)	1417: 1999 स्वर्णभूषणों की हॉलमार्किंग
3.	3027237	29-05-2009	मैसर्स खण्डेवाल ज्वैलर्स, 11-12, तिलक मार्केट, अलवर (राजस्थान)	1417: 1999 स्वर्णभूषणों की हॉलमार्किंग
4.	3028340	02-06-2009	मैसर्स श्रीनाथ सीमेन्ट वर्क्स, ए-60, माही सरोवर नगर, हाड़सिंह बोर्ड के पास, बांसवाड़ा - 327001 (राजस्थान)	458: 2003 प्रीकास्ट कांक्रीट पाइप्स
5.	3028441	05-06-2009	मैसर्स सन स्टार इण्डस्ट्रीज, जे-1120, फेज III, सीतापुरा औद्योगिक क्षेत्र, जयपुर (राजस्थान)	13779: 1999 एसी स्टेटिक बॉटआॉवर मीटर
6.	3028845	10-06-2009	मैसर्स मंगला इस्पात (जयपुर) लि., यूनिट-II, बी-234, रोड नं. 9, विश्वकर्मा औद्योगिक क्षेत्र जयपुर - 302013 (राजस्थान)	1786: 1995 एच एस डी स्टील बार्स
7.	3029645	12-06-2009	मैसर्स खारिया मिनरल्स एण्ड कैमीकल्स, जयपुर रोड, ग्राम : खारिया भीठापुर तहसील : बिलाड़ा जिला : जोधपुर (राज.)	12269: 1987 53 ग्रेड, साधारण पोर्टलैण्ड सीमेन्ट
8.	3029746	09-06-2009	मैसर्स डीलक्स केबल्स एण्ड वायर्स प्रा.लि., जी 1-1276 एवं 1277, फेज-III, सीतापुरा औद्योगिक क्षेत्र, जयपुर (राजस्थान)	694: 1990 पीवीसी इनसुलेटेड केबल्स
9.	3029847	11-06-2009	मैसर्स त्रिवेदी स्पन पाइप्स, एफ-124-125, औद्योगिक क्षेत्र, दोहद रोड, बांसवाड़ा - 327001 (राजस्थान)	458: 2003 प्रीकास्ट कांक्रीट पाइप्स
10.	3030428	16-06-2009	मैसर्स प्रियू इण्डस्ट्रीज लिमिटेड, एसपी 1/33बी, रीको औद्योगिक क्षेत्र, नीमराना, जिला : अलवर (राज.)	7098 (भाग 1) : 1988 क्रॉसलिंकड पोलीथिलीन इन्सुलेटेड पीवीसी केबल्स
11.	3030529	16-06-2009	मैसर्स श्री बालाजी केबल प्रोडक्शन, प्लाट नं. 17 लक्ष्मीनारायणपुरी, झोटवाड़ा औद्योगिक क्षेत्र, जयपुर - 302013 (राजस्थान)	694: 1990 पीवीसी इन्सुलेटेड केबल्स
12.	3032028	23-06-2009	मैसर्स श्री नाथ केबल एण्ड कंडक्टर्स, सी-953, रोड नं. 14, विश्वकर्मा औद्योगिक क्षेत्र जयपुर - 302013 (राजस्थान)	398 (भाग 2) : 1996 एसीएसआर

1	2	3	4	5
13.	3032735	24-06-2009	मैसर्स श्री अरिहन्त केबल्स, जी-845 ए, रोड नं. 14, विश्वकर्मा औद्योगिक क्षेत्र, जयपुर - 302 013 (राजस्थान)	398 (भाग 2) : 1996 एसीएसआर
14.	3032836	24-06-2009	मैसर्स सत्य व्यापार निर्यात प्रा. लि., ए-127, रोड नं. 9, विश्वकर्मा औद्योगिक क्षेत्र, जयपुर-302 013 (राजस्थान)	398 (भाग 4) : 1994 एएसी
15.	3033535	24-06-2009	मैसर्स सौखिया फास्टर्स प्रा. लि., ए-336(बी), रोड नं. 17, विश्वकर्मा औद्योगिक क्षेत्र, जयपुर - 302 013 (राज.)	12427: 2001 हैक्सागन हैड ट्रांसमिशन टावर बोल्ट्स
16.	3033232	19-06-2009	मैसर्स अपार पावर केबल्स (प्रा.) लि., एफ-540 रोड नं. । डी, विश्वकर्मा औद्योगिक क्षेत्र, जयपुर - 302 013 (राजस्थान)	694: 1990 पीवीसी इन्सुलेटेड केबल्स

[सं. सी एम डी/13:11]

पी. के गम्भीर, उपमहानिदेशक (मुहर)

New Delhi, the 21st August, 2009

S.O. 2409.—In pursuance of sub-regulation (5) of the regulation 4 of the Bureau of Indian Standards (Certification) Regulations, 1988, the Bureau of Indian Standards, hereby notifies the grant of licence particulars of which are given in the following Schedule :—

SCHEDULE

Sl. No.	Licence No. (CM/L-)	Operative Date	Name and address of the Licensee	Article/Process covered by the licences and the relevant IS: Designation
1	2	3	4	5
JUNE 2009				
1.	3026033	26-05-2009	Adinath Cables & Conductors Priavate Limited E-43 A, Road No. 1B, Vishwakarma Industrial Area, Jaipur-302013 Rajasthan	398 (Part 1) : 1996 Aluminium conductors for overhead transmission purposes: Part 1 Aluminium stranded Conductors
2.	3027136	29-05-2009	Golden Hello Multitrade Pvt. Ltd., Above Divya Deep Marriage Palace, Bajrangarh Choraha, Ajmer	1417: 1999 Gold and Gold Alloys, Jewellery Artefacts- Fineness and Marking
3.	3027237	29-05-2009	Khandelwal Jewellers 11-12, Tilak Market Alwar Rajasthan	1417: 1999 Gold and Gold Alloys, Jewellery Artefacts- Fineness and Marking
4.	3028340	02-06-2009	Shreenath Cement Works A-60, Mahi Sarovar, Nagar, Near Housing Board Banswara-327001 Rajasthan	458: 2003 Specification for Precast Concrete Pipes (with and without Reinforcement)
5.	3028441	05-06-2009	Sun Star Industries J-1120, Phase-III, Sitapura Industrial Area, Jaipur Rajasthan	13779: 1999 ac Static Watthour Meters, Class 1 and 2-Specification

1	2	3	4	5
6.	3028845	10-6-2009	Mangala Ispat (Jaipur) Ltd. , Unit-II, B-234, Road No. 9, V.K. I. Area, Jaipur-302013 Rajasthan	1786:1985 Specification for high strength deformed steel bars and wires for concrete reinforcement
7.	3029645	12-6-2009	Kharia Minerals and Chemicals Jaipur Road, Village: Kharia Mithapure, Tehsil : Bilara Jodhpur Rajasthan	12269:1987 Specification for 53 grade ordinary Portland Cement
8.	3029746	9-6-2009	Deelux Cables and Wires Private Limited, G 1-1276 and 1277, Phase-III, Sitapura Industrial Area, Jaipur Rajasthan	694:1990 PVC Insulated cables for working voltages upto and including 1100 V
9.	3029847	11-6-2009	Trivedi Spun Pipes F-124-125, Industrial Area, Dohad Road, Banswara-327001 Rajasthan	458: 2003 Specification for Precast Concrete Pipes (with and without Reinforcement)
10.	3030428	16-6-2009	Prew Industries Limited, SP 1/33B, RIICO Industrial Area, Alwar Neemrana Rajasthan	7098 (Pt. 1):1988 Crosslinked polyethylene insulated PVC sheathed cables: Part 1 For working voltage upto and including 1100V
11.	3030529	16-6-2009	Shri Balaji Cable Products, Plot No.17, Laxminarayanpuri, Jhotwara Industrial Area, Jaipur-302012, Rajasthan	694: 1990 PVC Insulated cables for working voltages upto and including 1100 V
12.	3032028	23-6-2009	Shri Nath Cable and Conductors, C-953, Road No. 14, V.K. I. Area, Jaipur-302013, Rajasthan	398 (Pt. 2): 1996 Aluminium conductors for overhead transmission purposes: Part 2 Aluminium conductors, galvanized steel reinforced
13.	3032735	24-6-2009	Shree Arihant Cables, G-845 A, Road No. 14, V.K.I. Area, Jaipur-302013, Rajasthan	398 (Pt. 2): 1996 Aluminium conductors for overhead transmission purposes : Part 2 Aluminium conductors, galvanized steet reinforced
14.	3032836	24-6-2009	Satya Vyapar Niryat Private Limited, A-127, Road No. 9, Vishwakarma Industrial Area, Jaipur-302013, Rajasthan	398 (Pt. 4): 1994 Aluminium conductors for overhead transmisssion purpose : Part 4 Aluminium alloy stranded conductors (aluminium magnesium silicon type)
15.	3033535	24-6-2009	Sonkhia Fasteners Private Limited, A-336 (B), Road No. 17, Vishwakarma Industrial Area, Jaipur-302013 (Rajasthan)	12427:2001 Fasteners-Threaded Steel Fasteners-Hexagon Head Transmission Tower Bolts-Specification
16.	3033232	19-6-2009	Appar Power Cables (Pvt.) Ltd., F-540, Road No. 1D, V.K.I. Area, Jaipur-302013 (Raj.)	694 : 1990 PVC Insulated cables for working voltages upto and including 1100 V

[No. CMD/13:11]

P. K. GAMBHIR, Dy. Director General (Marks)

नई दिल्ली, 19 अगस्त, 2009

का.आ. 2410.—भारतीय मानक व्यूरो नियम 1987 के नियम, 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक व्यूरो एतद्वारा अधिसूचित करता है कि जिस भारतीय मानक का विवरण नीचे अनुसूची में दिया गया है वह स्थापित हो गया है :

अनुसूची

क्रम संख्या	स्थापित भारतीय मानक (को) की संख्या, वर्ष और शीर्षक	नये भारतीय मानक द्वारा अतिक्रमित भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष	स्थापित तिथि
(1)	(2)	(3)	(4)
1	भामा 5571: 2009 जोखिमपूर्ण क्षेत्रों में विद्युत उपस्कर के चयन व संस्थापन की मार्गदर्शिका (खानों को छोड़ कर) (तीसरा पुनरीक्षण)	-	28 फरवरी, 2009

इस भारतीय मानक की प्रतियाँ भारतीय मानक व्यूरो, मानक भवन, 9 बहादुर शाह जफर मार्ग, नई दिल्ली- 110002, क्षेत्रीय कार्यालयों: नई दिल्ली, कोलकाता, चंडीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों: अहमदाबाद, वांगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद जयपुर, कानपुर, नागपुर, पटना, पूर्णे तथा तिरुवनंतपुरम में विक्री हेतु उपलब्ध हैं।

[संदर्भ : ईटी 22/टी-4]

आर. के. त्रेहन, वैज्ञानिक ई एवं प्रमुख (विद्युत तकनीकी)

New Delhi, the 19th August, 2009

S.O. 2410.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed has been issued :—

SCHEDULE

Sl. No.	No. and Year of the Indian Standards	No. and Year of the Indian Standards, if any, Superseded by the New Indian Standard	Date of Established
(1)	(2)	(3)	(4)
1.	IS 5571 : 2009 Guide for Selection and Installation of Electrical Equipment in Hazardous Areas (Other than Mines) (Third Revision)	--	28th February, 2009

Copies of this Standards are available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Jafar Marg, New Delhi-110002 and Regional Offices: New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices: Ahmedabad, Bangalore, Bhopal, Bhubaneshwar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[Ref: ET 22/T-4]

R. K. TREHAN, Sc. E and Head (Elec. Tech.)

कोयला मंत्रालय

नई दिल्ली, 28 अगस्त, 2009

का.आ. 2411.—केन्द्रीय सरकार को प्रतीत होता है कि इससे उपाबद्ध अनुसूची में उल्लिखित भूमि में कोयला अभिग्राह किये जाने की संभावना है;

अतः अब, केन्द्रीय सरकार कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम 1957 (1957 का 20) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 4 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उस भूमि में कोयले का पूर्वेक्षण करने के अपने आशय की सूचना देती है ;

इस अधिसूचना के अन्तर्गत आने वाले रेखांक सं. ईसीएल/एसआईएम/एम.ओ.यू.जेड.ए./एन.ओ.टी.आई./05 तारीख 16 नवम्बर, 2008, का निरीक्षण उपायुक्त जिला पाकुड़ (झारखण्ड) के कार्यालय में या कोयला नियंत्रक, 1, काउंसिल हाऊस स्ट्रीट, कोलकाता-700001 के कार्यालय में या निदेशक तकनीकी (प्रचालन), ईस्टर्न कोलफील्ड्स लिमिटेड, सांकटोरिया, डाकघर-दिसरगढ़, जिला बर्द्धवान (प. बंगाल) पिन कोड-713333 के कार्यालय में किया जा सकता है।

इस अधिसूचना के अन्तर्गत आने वाली भूमि में, हितबद्ध सभी व्यक्ति उक्त अधिनियम की धारा 13 की उपधारा (7) में निर्दिष्ट सभी नक्शों, चार्टों और अन्य दस्तावेजों को इस अधिसूचना के राजपत्र के प्रकाशन की तारीख से नब्बे दिन के भीतर निदेशक तकनीकी (प्रचालन), ईस्टर्न कोलफील्ड्स लिमिटेड सांकटोरिया, डाकघर-दिसरगढ़, जिला बर्द्धवान (प. बंगाल) पिन कोड-713333 को भेजेंगे।

अनुसूची

सिमलौंग कोल माइनिंग ब्लॉक

जिला: पाकुड़; झारखण्ड

(रेखांक सं. ईसीएल/एसआईएम/एम.ओ.यू.जेड.ए./एन.ओ.टी.आई./05 तारीख 16 नवम्बर, 2008)

क्रम सं.	मौजा/गाँव	थाना	ग्राम संख्या	जिला	हेक्टर में क्षेत्र	एकड़ में क्षेत्र	टिप्पणी
1.	सिमलौंग पहाड़	लिट्टी-पाड़ा	5	पाकुड़	6.564	16.220	भाग
2.	बड़ा घाघरी	लिट्टी-पाड़ा	20	पाकुड़	0.785	1.940	भाग
					7.349	18.160	
					हेक्टर	एकड़	
					(लगभग)	(लगभग)	

सीमा विवरण

क - क 1 यह रेखा लिट्टी पाड़ा, जिला - पाकुड़ के मौजा-सिमलौंग नं. -05, की खसरा नं. 99 एवं 119 की साझा पर सीमा बिन्दु क से शुरू होकर, खसरा सं. 118 की उत्तरी पूर्वी सीमा, खसरा सं. 117 की पूर्वी सीमा, खसरा सं. 116, 113 की उत्तरी सीमा से गुजरती हुई खसरा सं. 112 को पार करती हुई पुनः खसरा सं. 127, 128, 129, 145, की उत्तरी सीमा से गुजरती हुई खसरा सं. 145 की उत्तरी-पूर्वी सीमा पर बिन्दु क 1 पर मिलती है।

क 1-क 2 यह रेखा मौजा सिमलौंग सं. -05 की खसरा सं. 145 उत्तरी सीमा पर बिन्दु क 1 से शुरू होकर, खसरा सं. 145, 147 की पूर्वी सीमा से गुजरती हुई, खसरा सं. 172, 183 को पार करती हुई, खसरा सं. 184-उत्तरी सीमा से गुजरती हुई मौजा-सिमलौंग पहाड़ सं. -05 एवं बड़ा घाघरी सं. 20 साझा सीमा पर बिन्दु क 2 पर मिलती है।

क 2- क 3 यह रेखा सिमलौंग पहाड़ सं. -05 एवं बड़ा घाघरी सं. 20 साझा सीमा पर बिन्दु क 2 से शुरू होकर, खसरा सं. -82 उत्तरी सीमा, खसरा सं. 7 की पूर्वी एवं दक्षिणी सीमा, खसरा सं. 8 एवं 3 की दक्षिणी सीमा से गुजरती हुई, बड़ा घाघरी सं. -20 की खसरा सं. -3 एवं 91 की साझा सीमा पर बिन्दु क 3 पर मिलती है।

क 3 - क यह रेखा मौजा- बड़ा घाघरी सं.20 की खसरा सं. 03 एवं 91 की साझा सीमा पर बिन्दु क 3 से शुरू होकर, खसरा सं.-3, 2 मौजा बड़ा घाघरी सं. 20, मौजा बड़ा घाघरी सं. 20 तथा मौजा सिमलौंग पहाड़ सं. 5 की साझा सीमा को पार करती हुई, मौजा सिमलौंग पहाड़ सं. 05 की खसरा सं. 180, 178, 175, 173, 172, 104, 118, 99 को पार करती हुई खसरा सं. 99 एवं 119 की साझा सीमा पर बिन्दु क पर मिलती है।

[फा. सं. 43015/1/2009-पीआरआईडब्ल्यू-1]

एम. शहाबुद्दीन, अवर सचिव

MINISTRY OF COAL

New Delhi, the 28th August, 2009

S.O. 2411.—Whereas, it appears to the Central Government that coal is likely to be obtained from the lands in the locality mentioned in Schedule hereto annexed:

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 4 of the Coal Bearing Areas (Acquisitions and Development) Act, 1957 (20 of 1957), (hereinafter referred to as the said Act), the Central Government hereby gives notice of its intention to prospect for coal therein;

The Plan bearing number ECL/SIM/MOUZA/NOTI/05 dated the 16th November, 2008 of the area covered by this notification can be inspected in the office of the Deputy Commissioner, District Pakur (Jharkhand), or in the office of the Coal Controller, 1, Council House Street, Kolkata-700 001 or in the office of the Director Technical (Operation), Eastern Coalfields Limited, Sanctoria, P.O. Dishergarh, Dist.- Burdwan (West Bengal), Pin Code-713 333.

All persons interested in the land covered by this notification shall deliver all maps, charts and other documents referred in sub-section (7) of Section 13 of the said Act to the Director Technical (Operation), Eastern Coalfields Limited, Sanctoria, P.O. Dishergarh, Dist.- Burdwan (West Bengal), Pin Code-713 333; within ninety (90) days from the date of publication of this notification in the Official Gazette.

SCHEDULE

Simlong Coal Mining Block

District : Pakur ; Jharkhand

(Plan number : ECL/SIM/MOUZA/NOTI/05 dated the 16th November, 2008)

Sl. No.	Mouza/ Village	Thana	Village Number	District	Area in hectares	Area in acres	Remarks
1.	Simlong Pahar	Litipara	5	Pakur	6.564	16.220	Part
2.	Bara Ghaghari	Litipara	20	Pakur	0.785	1.940	Part
Total Area				7.349 hectares (approx- imately)	18.160 acres (approx- imately)		

Boundary Description

- A-A 1 Line starts from Point A on the common boundary of plot No. 99 & 19 in the Mouza Simlong No.—05 Thana Liliti Para dist—Pakur, passes through the northern and eastern boundary of plot No. 118, eastern boundary plot No. 117, northern boundary of plot No. 116, 113, cross the plot No. 112, again passes through the nothern bounday of plot No. 127, 128, 129, 145 and meets at point A1 on the northern boundary of plot No. 145 of Mouza Simlong Pahar No.05.
- A1-A2 Line starts from Point A1 on the northern boundary of plot No. 145, of Mouza Simlong Pahar No. 05 and passes through the eastern boundary of plot No. 145, 147, northern boundary of 170, eastern boundary of plot No. 170, 171, cross the plot No. 172, 183, passes through northern boundary of plot no. 184 and meets at the point A 2 on the common boundary of Mouza Simlong Pahar No. 05 and Bara Ghaghari No 20.
- A 2- A3 Line starts from Point A2 on the common boundary of Mouza Simlong Pahar No. 05 and Bara Ghaghari No. 20 and passess through northern boundary of plot No. 82, eastern and southern boundary of plot No. 7, southern boundary of plot No. 8, 3 and meets at point A3 of the common boundary of plot No. 3 and 91 of Mouza Bara Ghaghari No. 20.
- A 3-A Line starts from Point A3 of the common boundary of plot No.3 and 91 of Mouza Bara Ghaghari No. 20. Crosses plot No. 3, 2 of Mouza —Bara Ghaghari No. 20, common boundary Mouza Bara Ghaghari No. 20 and Simlong pahar No. 05, plot No. 180, 178, 175, 173, 172, 104, 105, 118, 99 and meets at the point A on the common boundary of plot No. 99 and 119 of Mouza Simlong Pahar No. 05.

[F. No. 43015/1/2009-PRIW-I]

M. SHAHABUDEEN, Under Secy.

नई दिल्ली, 28 अगस्त, 2009

का.आ. 2412.—केन्द्रीय सरकार को यह प्रतीत होता है, कि इससे उपाबद्ध अनुसूची में उल्लिखित परिक्षेत्र की भूमि में से कोयला अभिप्राप्त किए जाने की संभावना है;

अतः अब, केन्द्रीय सरकार कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 4 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उस भूमि में कोयले का पूर्वेक्षण करने के अपने आशय की सूचना देती है;

इस अधिसूचना के अंतर्गत आने वाले रेखांक सं. सी-1(ई)III/जेजेआर/784-0409, तारीख 27 अप्रैल, 2009 का निरीक्षण, वेस्टर्न कोलफील्ड्स लिमिटेड (राजस्व विभाग), कोल इस्टेट, सिविल लाइन्स, नागपुर-440 001 (महाराष्ट्र) के कार्यालय में या मुख्य महाप्रबंधक (एक्सप्लोरेशन), केन्द्रीय खान योजना और डिजाइन संस्थान, गोंडवाना प्लेस, कांके रोड, राँची के कार्यालय में या कोयला नियंत्रक, ।, कार्डिसिल हाऊस स्ट्रीट, कोलकाता के कार्यालय में या जिला कलेक्टर, यवतमाल (महाराष्ट्र) के कार्यालय में किया जा सकता है।

इस अधिसूचना के अंतर्गत आने वाली भूमि में, हितबद्ध सभी व्यक्ति उक्त अधिनियम की धारा 13 की उपधारा (7) में निर्दिष्ट सभी नक्शों, चार्टों और अन्य दस्तावेजों को इस अधिसूचना के राजपत्र में प्रकाशन की तारीख से 90 दिनों के भीतर मुख्य महाप्रबंधक, वणी क्षेत्र, ऊर्जा ग्राम, पोस्ट तडाली, तहसील चंद्रपुर जिला चंद्रपुर- 442 406 (महाराष्ट्र) या वेस्टर्न कोलफील्ड्स लिमिटेड, राजस्व विभाग, कोल इस्टेट, सिविल लाइन्स, नागपुर - 440 001 (महाराष्ट्र) को भेजेंगे।

अनुसूची

कोलगांव ओपनकास्ट प्रोजेक्ट

वणी क्षेत्र

जिला यवतमाल (महाराष्ट्र)

[रेखांक सं. सी-1 (ई)III/जेजेआर/784-0409, तारीख 27 अप्रैल, 2009]

क्रम संख्या	ग्राम का नाम	पटवारी सर्कल संख्या	तहसील	जिला	क्षेत्रफल हेक्टर में	टिप्पणी
1	चिखली	109	वणी	यवतमाल	51.42	भाग
कुल क्षेत्र : 51.42 हेक्टर (लगभग)						
या 127.05 एकड़ (लगभग)						

सीमा वर्णन :-

- क-ख-ग-घ-ड़ : रेखा ग्राम चिखली में बिन्दु 'क' से आरम्भ होती है और बिन्दु 'ख', 'ग' और 'घ' से जाती हुई विद्यमान कोलगांव ओपनकास्ट प्रोजेक्ट की अधिसूचित सीमा के साथ-साथ जाती है और बिन्दु 'ड़' पर मिलती है।
- ड-च-छ-ज : रेखा सड़क के साथ-साथ जाती है और ग्राम चिखली और ग्राम येनक की सम्मिलित ग्राम सीमा के साथ जाती है और बिन्दु 'च' और 'छ' से होती हुई बिन्दु 'ज' पर मिलती है।
- ज-झ-ज-ट-क ; रेखा ग्राम चिखली और ग्राम येनक की सम्मिलित ग्राम सीमा से जाती है फिर विद्यमान कोलगांव ओपनकास्ट प्रोजेक्ट की अधिसूचित सीमा से होकर जाती है और बिन्दु 'झ', 'ज' और 'ट' से जाती है और आरंभिक बिन्दु 'क' पर मिलती है।

[फा. सं. 43015/18/2009-पीआरआई डब्ल्यू-1]

एम. शहाबुद्दीन, अवर सचिव

New Delhi, the 28th August, 2009

S.O. 2412.—Whereas, it appears to the Central Government that Coal is likely to be obtained from the lands in the locality mentioned in the Schedule hereto annexed;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), (hereinafter referred to as the said Act), the Central Government hereby gives notice of its intention to prospect for coal therein;

The plan bearing number C-1(E) III/JJR/784- 0409 dated the 27th April, 2009 of the area covered by this notification can be inspected in the office of the Western Coalfields Limited (Revenue Department), Coal Estate, Civil Lines, Nagpur-440 001(Maharashtra) or at the office of the Chief General Manager(Exploration Division),Central Mine Planning and Design Institute, Gondwana Place, Kanke Road, Ranchi or at the office of the Coal Controller, 1, Council House Street, Kolkata or at the office of the District Collector, Yavatmal (Maharashtra).

All persons interested in the lands covered by this notification shall deliver all maps, charts and other documents referred to in sub-section (7) of Section 13 of the said Act to the office of the Chief General Manager, Western Coalfields Limited, Wani Area, Urjagram, Post Tadali, Tahsil Chandrapur, District Chandrapur - 442 406 (Maharashtra) or Chief Mining Engineer (Land and Revenue), Western Coalfields Limited, (Revenue Department) Coal Estate, Civil Lines, Nagpur - 440 001(Maharashtra) within ninety days from the date of publication of this notification in the Official Gazette.

SCHEDULE
KOLGAON OPENCAST PROJECT
WANI AREA
DISTRICT YAVATMAL (MAHARASHTRA)

[Plan bearing number C-1(E) III/JJR/784-0409 dated the 27th April, 2009]

Sl No.	Name of village	Patwari circle number	Tehsil	District	Area in hectares	Remarks
1	Chikhali	109	Wani	Yavatmal	51.42	Part

Total area : 51.42 hectares (approximately)

or

127.05 acres (approximately)

Boundary description :—

- A-B-C-D-E : Line starts from Point 'A' in village Chikhali and passes nearby Point 'B', 'C' and 'D' along the Existing Notified Area for Kolgaon Opencast Project and meets at Point 'E'.
- E-F-G-H : Line passes along the Road and passes nearby Point 'F', 'G' and meets on common village boundary of villages Chikhali and Yenak at Point 'H'.
- H-I-J-K-A : Line passes along the common village boundary of villages Chikhali and Yenak, then passes nearby Point 'I', 'J' and 'K' along the Existing Notified Area for Kolgaon Opencast Project and meets at starting Point 'A'.

[F.No. 43015/18/2009-PRIW-I]

M. SHAHABUDEEN, Under Secy.

नई दिल्ली, 28 अगस्त, 2009

का.आ. 2413.—केन्द्रीय सरकार ने कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम 1957 (1957 का 20) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 4 की उपधारा (1) के अधीन भारत सरकार में कोयला मंत्रालय के द्वारा जारी की गई अधिसूचना संख्या का.आ. 3261 तारीख 1 नवम्बर, 2007 तदोपरांत शुद्धिपत्र संख्या का.आ. 1736 तारीख 9 जुलाई, 2008 जो भारत के राजपत्र के भाग 11, खंड 3, उपखंड (ii) तारीख 10 नवम्बर, 2007 और 12 जुलाई 2008 में प्रकाशित की गई थी, उस अधिसूचना से संलग्न अनुसूची में निम्नलिखित पारिक्षण की भूमि में जिसका माप 35.00 हेक्टर (लगभग) या 86.48 एकड़ (लगभग) है, कोयले का पूर्वक्षण करने के अपने आशय की सूचना दी थी;

और, केन्द्रीय सरकार का यह समाधान हो गया है कि उक्त भूमि में कोयला अभिप्राप्त है;

अतः केन्द्रीय सरकार, कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 की धारा 7 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए इससे संलग्न अनुसूची में वर्णित 29.287 हेक्टर (लगभग) या 72.37 एकड़ (लगभग) माप की उक्त भूमि का अर्जन करने के अपने आशय की सूचना देती है ;

टिप्पणि 1 इस अधिसूचना के अधीन आने वाले क्षेत्र के रेखांक सं. एसईसीएल/बी.एस.पी./जी.एम.(पीएलजी)/लैंड/342 तारीख 25-05-2009 का निरीक्षण कलेक्टर, जिला - रायगढ़ (छत्तीसगढ़) के कार्यालय में या कोयला नियंत्रक 1, कार्डिसिल हाउस स्ट्रीट कोलकाता-700001 के कार्यालय में या साउथ इस्टर्न कोलफॉल्ड्स लिमिटेड, (राजस्व अनुभाग) सीपत रोड बिलासपुर- 495001 (छत्तीसगढ़) के कार्यालय में किया जा सकता है ।

टिप्पणि 2 कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम 1957 (1957 का 20) की धारा 8 के उपबंधों की ओर ध्यान आकृष्ट किया जाता है, जिसमें निम्नलिखित उपबंध है :-

अर्जन के बाबत आपत्तियाँ :

“8(1) कोई व्यक्ति जो किसी भूमि में जिसकी बाबत धारा 7 के अधीन अधिसूचना निकाली गई है, हितबद्ध है अधिसूचना के निकाले जाने से तीस दिन के भीतर सम्पूर्ण भूमि या उसके किसी भाग या ऐसी भूमि में या उस पर के किन्हीं अधिकारों का अर्जन किए जाने के बारे में आपत्ति कर सकेगा ।

स्पष्टीकरण :

- (1) इस धारा के अंतर्गत यह आपत्ति नहीं मानी जाएगी कि कोई व्यक्ति किसी भूमि में कोयला उत्पादन के लिए स्वयं खनन संक्रियाएं करना चाहता है और ऐसी संक्रियाएं केन्द्रीय सरकार या किसी अन्य व्यक्ति को नहीं करनी चाहिए।
- (2) उप-धारा (1) के अधीन प्रत्येक आपत्ति सक्षम अधिकारी को लिखित रूप में की जाएगी और सक्षम अधिकारी आपत्तिकर्ता को स्वयं सुने जाने, विधि व्यवसायी द्वारा सुनवाई का अवसर देगा और ऐसी सभी आपत्तियों को सुनने के पश्चात् और ऐसी अतिरिक्त जांच यदि कोई हो, करने के पश्चात् जो वह आवश्यक समझता है, वह या तो धारा 7 की उप-धारा (1) के अधीन अधिसूचित भूमि का या ऐसी भूमि में या उस पर के अधिकारों के संबंध में एक रिपोर्ट या ऐसी भूमि के विभिन्न टुकड़े या ऐसी भूमि में या उस पर के अधिकारों के संबंध में आपत्तियों पर अपनी सिफारिशों और उसके द्वारा की गई कार्यवाही के अभिलेख सहित विभिन्न रिपोर्ट केन्द्रीय सरकार को उसके विनिश्चय के लिए देगा।
- (3) इस धारा के प्रयोजनों के लिए वह व्यक्ति किसी भूमि में हितबद्ध समझा जाएगा जो प्रतिकर में हित का दावा करने का हकदार होगा, यदि भूमि या किसी ऐसी भूमि में या उस पर के अधिकार इस अधिनियम के अधीन अर्जित कर लिए जाते हैं।"

टिप्पण 3: केन्द्रीय सरकार ने कोयला नियंत्रक, 1, कार्डसिल हाउस स्ट्रीट, कोलकाता-700001 को उक्त अधिनियम के अधीन अधिसूचना सं. का.आ. 905, तारीख 20 मार्च, 1987 द्वारा सक्षम प्राधिकारी नियुक्त किया है।

अनुसूची

बिजारी विवत खान का विस्तार, मांड रायगढ़ कोयला क्षेत्र, रायगढ़ क्षेत्र

जिला-रायगढ़ (छत्तीसगढ़)

[रेखांक सं.-एसईसीएल/बी.एस.पी./जी.एम.(पीएलजी)/लैंड/342 तारीख 25-05-2009]

सभी अधिकार:-

(क) राजस्व भूमि :

क्रम संख्या	ग्राम का नाम	पटवारी हल्का नम्बर	बंदोबस्त नम्बर	तहसील	जिला	क्षेत्र हेक्टर में	टिप्पण
1.	रुमकेरा	26	275	घडघोड़ा	रायगढ़	29.287	भाग
कुल : 29.287 हेक्टर (लगभग) या 72.37 एकड़ (लगभग)							

1. ग्राम बिजारी (भाग) में अर्जित किए जाने वाले प्लाट संख्या :

24/1, 26 से 32, 33/1 से 33/4, 34 से 37, 88(भाग), 120/1(भाग), 125, 126, 127.

सीमा वर्णन :

- क-ख- रेखा बिन्दु "क" से आरंभ होती है और ग्राम रुमकेरा - बिजारी के सम्मिलित सीमा से गुजरती हुई बिन्दु "ख" पर मिलती है।
- ख-ग रेखा ग्राम रुमकेरा - पोरडा के भागतः सम्मिलित सीमा से गुजरती हुई बिन्दु 'ग' पर मिलती है।
- ग-घ रेखा ग्राम रुमकेरा के प्लाट संख्या 127 के दक्षिणी और 120/1 से होकर प्लाट संख्या 126, 125 के दक्षिणी तथा प्लाट संख्या 88 से गुजरती है उसके बाद प्लाट संख्या 37, 34, 33/2, 33/3, 33/4, 26, 24/1, 26 के दक्षिणी सीमा से होती हुई बिन्दु "घ" पर मिलती है।
- घ-क रेखा ग्राम रुमकेरा - बिजारी के भागतः सम्मिलित सीमा से गुजरती हुई आरंभिक बिन्दु "क" पर मिलती है।

[फा. सं. 43015/5/2007-पीआरआईडब्ल्यू-1]

एम. शहाबुद्दीन, अवर सचिव

New Delhi, the 28th August, 2009

S.O. 2413.—Whereas by the notification of the Government of India in the Ministry of Coal number S.O. 3261 dated 1st November, 2007 and subsequent corrigendum number S.O. 1736 dated the 9th July, 2008 issued under sub-section (1) of Section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) (hereinafter referred to as the said Act) and published in the Gazette of India, Part II, Section 3, sub-section (ii) dated 10th November, 2007 and 12th July, 2008 respectively, the Central Government gave notice of its intention to prospect for coal in 35.000 hectares (approximately) or 86.48 acres (approximately) of the lands in the locality specified in the Schedule annexed to that notification;

And whereas the Central Government is satisfied that coal is obtainable in a part of the said lands prescribed in the Schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 7 of the Coal Bearing Areas (Acquisition and Development) Act, 1957, the Central Government hereby gives notice of its intention to acquire the land measuring 29.287 hectares (approximately) or 72.37 acres (approximately) as All Rights in or over the said lands described in the Schedule appended hereto;

Note 1. The plan bearing number SECL/BSP/GM(PLG)/LAND/342 dated the 25th May, 2009 of the area covered by this notification may be inspected in the office of the Collector, Raigarh (Chhattisgarh) or in the office of the Coal Controller, 1, Council House Street, Kolkata - 700001 or in the office of the South Eastern Coalfields Limited (Revenue Section), Seepat Road, Bilaspur-495006 (Chhattisgarh).

Note 2. Attention is hereby invited to the provisions of Section 8 of the said Act which provides as follows:—

Objection to Acquisition:

“8(1) Any person interested in any land in respect of which a notification under Section 7 has been issued, may, within thirty days of the issue of the notification, object to the acquisition of the whole or any part of the land or any rights in or over such land.

Explanation :

- (1) It shall not be an objection within the meaning of this section for any person to say that he himself desires to undertake mining operation in the land for the production of coal and that such operation should not be undertaken by the Central Government or by any other person.
- (2) Every objection under sub-section (1) shall be made to the competent authority in writing, and the competent authority shall give the objector an opportunity of being heard either in person or by a legal practitioner and shall, after hearing all such objections and after making such further inquiry, if any, as he thinks necessary, either makes a report in respect of the land which has been notified under sub-section (1) of Section 7 or of rights in or over such land, or make different reports in respect of different parcels of such land or of rights in or over such land, to the Central Government, containing his recommendations on the objections, together with the record of the proceedings held by him, for the decision of the Government.
- (3) For the purposes of this section, a person shall be deemed to be interested in land who would be entitled to claim an interest in compensation if the land or any rights in or over such land were acquired under this Act.”

Note 3. The Coal Controller, 1, Council House Street, Kolkata-700001, has been appointed by the Central Government as the competent authority under Section 3 of the said Act, vide notification number S. O. 905, dated the 20th March, 1987, published in Part II, Section 3, sub-section (ii) of the Gazette of India, dated the 4th April, 1987.

SCHEDULE

Extension of Bijari OCM, Raigarh Area, Distt.-Raigarh (Chhattisgarh)

[Plan bearing number SECL/BSP/GM(PLG)/LAND/342, dated the 25th May, 2009]

All Rights:

(A) REVENUE LAND

Serial Number	Name of village	Patwari halka Number	Settlement Number	Tahsil	District	Area in Hectares	Remarks
1	Rumkera	26	275	Garghoda	Raigarh	29.287	Part

Total :- 29.287 hectares (Approximately) or 72.37 Acres (approximately)

1. Plot numbers to be acquired in village Rumkera(Part):
24/1,26 to 32,33/1 to 33/4, 34 to 37, 88(P), 120/1 (P), 125, 126, 127.

Boundary Description:

- A-B** Line starts from point "A" and passes along the common boundary of villages Rumkera - Bijari and meets at point "B".
- B-C** Line passes along partly common boundary of villages Rumkera - Porda and meets at point "C".
- C-D** Line passes in village Rumkera along southern boundary of plot number 127, through 120/1, southern boundary of 126, 125, through 88, southern boundary of 37, 34, 33/2, 33/3, 33/4, 26, 24/1, 26 and meets at point "D".
- D-A** Line passes along the partly common boundary of villages Rumkera - Bijari and meets at starting point "A".

[No. 43015/5/2007-PRIW-I]

M. SAHABUDEEN, Under Secy.

नई दिल्ली, 28 अगस्त, 2009

का.आ. 2414.—केन्द्रीय सरकार ने कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 7 की उप-धारा (1) के अधीन जारी भारत सरकार के कोयला मंत्रालय की अधिसूचना संख्या का.आ. 1026, तारीख 08 मई, 2008 और जो भारत के राजपत्र भाग II, खंड-3, उपखंड (ii), तारीख 10 मई 2008 में प्रकाशित की गई थी तथा मूल अधिसूचना के संशोधन द्वारा का.आ. संख्या 2354, तारीख 18 अगस्त, 2008 और भारत के राजपत्र असाधारण, भाग-II, खंड-3, उपखंड (ii), तारीख 23 अगस्त, 2008 में प्रकाशित उस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमि और परिक्षेत्र के सभी अधिकारों के अर्जन करने के अपने आशय की सूचना दी थी।

और सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 8 के अनुसरण में केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है।

और केन्द्रीय सरकार का, पूर्वोक्त रिपोर्ट पर विचार करने के पश्चात् और ओडिशा सरकार से परामर्श करने के पश्चात्, यह समाधान हो गया है कि संलग्न अनुसूची में वर्णित 383.893 हेक्टर (लगभग) या 948.600 एकड़ (लगभग) माप वाली भूमि के सभी अधिकार अर्जित किए जाने चाहिए।

अतः, अब केन्द्रीय सरकार, कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 की धारा 9 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि अनुसूची में यथा वर्णित 383.893 हेक्टर (लगभग) या 948.600 एकड़ (लगभग) माप वाली भूमि और ऐसी भूमि के सभी अधिकार अर्जित किए जाते हैं।

इस अधिसूचना के अंतर्गत आने वाले क्षेत्र के रेखांक सं. एमसीएल//एसयूआर/टीएएलबी/03/2008, तारीख 12 जुलाई, 2008 का निरीक्षण कलेक्टर संबलपुर (ओडिशा) के कार्यालय में या कोयला नियंत्रक, I, काउंसिल हाउस स्ट्रीट, कोलकाता, पिन-700 001 के कार्यालय में या महाप्रबंधक (एल/आर. एण्ड आर.), महानदी कोलफोल्ड्स लिमिटेड (भू-राजस्व और पुर्ववास विभाग), जागृति निवार, डाकघर-जागृति विहार, बुर्ला, संबलपुर, उड़ीसा पिन-768020 के कार्यालय में किया जा सकता है।

अनुसूची

आई.बी. ब्लॉक XIII (तालाबीरा-II)

तालाबीरा क्षेत्र, जिला: संबलपुर, ओडिशा

सभी अधिकार

(रेखांक सं. एमसीएल//एसयूआर/टीएएलबी/03/2008, तारीख 12 जुलाई, 2008)

क्र. सं.	मौजा/ ग्राम का नाम	गांव सं.	तहसील/ धाना	जिला	कुल हेक्टर में	टिप्पणी
1	तालाबीरा	3	रेंगाली/ कतरबगा	संबलपुर	331.465	(भाग)
2	खिंडा	2	रेंगाली/ कतरबगा	संबलपुर	52.428	(भाग)
			कुल 383.893 हेक्टर			

कुल 383.893 हेक्टर (लगभग) या 948.600 एकड़ (लगभग)

1. तालाबीरा ग्राम (भाग) में अर्जित प्लाट संख्यांक:

1(भा), 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 19 (भा), 21, 22, 23, 24, 25, 26, 27(भा), 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48(भा), 124, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258,

259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386(आ), 387, 388, 389(आ), 392(आ), 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 438(आ), 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 592(आ), 593, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689(आ), 690(आ), 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703(आ), 704(आ), 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015(आ), 1017(आ), 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1041(आ), 1042(आ), 1043(आ), 1965, 1968, 1969, 1970, 1971, 1972, 1973, 1974, 1975, 1976, 1977, 1978, 1979, 1980, 1981, 1982, 2019, 2020(आ), 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2146, 2147, 2148, 2149(आ), 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2234, 2237(आ), 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2434, 2435, 2436, 2437, 2438(आ), 2439(आ), 2440(आ), 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456(आ), 2461(आ), 2462(आ), 2463(आ), 2464, 2465, 2466, 2467, 2468(आ), 2469, 2470, 2471(आ), 2472(आ), 2473, 2251/2474, 2194/2475, 2189/2476, 474/2477, 215/2478, 215/2479, 208/2480, 471/2481, 243/2484, 2203/2485, 2203/2486, 2187/2487, 2195/2491, 2195/2492, 2195/2493,

242/2494, 405/2502, 414/2503(भा), 416/2505(भा), 384/2506, 244/2507, 244/2508, 2186/2509, 2186/2510, 2185/2511, 2185/2512, 2185/2513, 147/2522, 2203/2531, 501/2532, 659/2533, 659/2534, 2444/2543, 2421/2546, 2405/2547, 2399/2548, 2399/2549, 2399/2550, 2399/2551, 2399/2552, 2399/2553, 704/2556, 136/2558, 180/2559, 3/2560, 2156/2584, 2133/2585, 2111/2586, 2020/2587, 2020/2588, 2104/2593, 2089/2595, 578/2598, 2412/2599, 254/2604, 254/2605, 255/2606, 2443/2665, 2443/2666, 2190/2674, 2190/2675, 2454/2676, 2454/2677, 2390/2678, 2390/2679, 997/2684, 1007/2685, 2234/2687, 2234/2688, 987/2697, 655/2704, 2265/2708, 2267/2709, 2267/2710, 2266/2711, 2264/2712, 185/2713, 185/2714, 185/2715, 214/2716, 216/2717, 228/2718, 239/2719, 239/2720, 242/2721, 242/2722, 242/2723, 455/2724, 520/2725, 520/2726, 520/2727, 520/2728, 521/2729, 522/2730, 600/2731, 625/2732, 625/2733, 653/2734, 654/2735, 986/2738, 1983/2788, 2189/2790, 2195/2791, 2227/2792, 2227/2793, 2238/2794, 2238/2795, 2242/2796, 2264/2797, 2270/2798, 2453/2799, 2453/2800, 2453/2801, 2453/2802, 2454/2803, 2454/2804, 2454/2805, 991/2806, 992/2807, 2354/2808, 2382/2809 एवं 2276/2810.

2. खिंडा ग्राम (भाग) में अंजित प्लाट संख्यांक:

501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611(भा), 666(भा), 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 726(भा), 727(भा), 728, 729, 730, 731, 732, 733(भा), 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 782(भा), 783(भा), 788, 790, 1076(भा), 1078(भा), 1079(भा), 1080, 1081, 1082, 1083, 1084, 1085(भा), 1086(भा), 1087, 1088, 1089, 1090, 1091, 1092, 1093, 1094, 1095, 1096, 1097, 1098, 1099, 1100, 1101, 1102, 1103, 1104, 1105, 1118, 1119, 1120, 1121, 1122, 1123, 1124, 1125(भा), 1126, 1127, 1128, 1129, 1132(भा), 1133, 1134, 1135(भा), 1141(भा), 1369, 1370, 1371, 1372, 1373, 1374, 1375, 1376, 1377,

1378, 1379, 1380, 1381, 1382, 1383, 1384, 1385, 1386(भा), 1387, 1388, 1389, 1390, 1391, 1392, 1393, 1394(भा), 1395, 1396, 1398(भा), 1400, 1401, 1402, 1403, 678/2214, 682/2215, 699/2216, 705/2217, 734/2218, 736/2219, 689/2220, 582/2227, 687/2235, 783/2241, 1100/2247, 1394/2262, 1394/2263, 1394/2264, 1394/2265, 1394/2266, 1394/2267(भा), 681/2275, 681/2276, 746/2304, 577/2335, 577/2336, 577/2337, 583/2338, 583/2339, 585/2340, 672/2341, 693/2342, 751/2343, 782/2348(भा), 1388/2407, 1395/2408, 1444/2409(भा), एवं 693/2432

आई.बी. ब्लॉक XIII (तालाबीरा-II) का सीमा वर्णन:

क से च:-रेखा तालाबीरा प्लाट संख्या 16 के उत्तर पश्चिम किनारे से ग्राम तालाबीरा और पत्रापाली की सम्मिलित सीमा पर बिन्दु-क से प्रारंभ होती है फिर बिन्दु-क-1 तक तालाबीरा और पत्रापाली ग्राम की सम्मिलित सीमा से उत्तर की ओर चलती है फिर पूरब की ओर मुड़कर तालाबीरा प्लाट संख्या 1,389,386,389,392,2503,2505,438 से होते हुए बिन्दु-च तक पहुँचती है।

च से छ:-रेखा तालाबीरा प्लाट संख्या 448 तक तालाबीरा और खिंडा ग्राम की सम्मिलित सीमा के साथ दक्षिण की ओर जाती है और फिर ग्राम खिंडा प्लाट संख्या 2336, 577, 2335, 576, 571, 564, 563, 519 की उत्तरी सीमा से होते हुए पूरब की ओर मुड़ती है और प्लाट संख्या 529,530,512 की पश्चिमी सीमा से होते हुए उत्तर की ओर मुड़ती है फिर पूरब की ओर मुड़कर प्लाट संख्या 511,510,505, और 504 की उत्तरी सीमा से होकर जाती है और बिन्दु-छ पर मिलती है।

छ से ज:-रेखा बिन्दु छ से आरंभ होकर ग्राम खिंडा प्लाट संख्या 504, 503, 502, 501, 534, 557, 556, 561, 568, 610, के दक्षिण पूर्व कोने पर और प्लाट संख्या 611 से गुजरती है और फिर प्लाट संख्या 611 की पूर्वी सीमा के साथ गुजरती है, फिर प्लाट संख्या 666 से होते हुए जाती है और फिर प्लाट संख्या 722, 721, 720, 719 की पूर्वी सीमा के साथ गुजरती है और फिर प्लाट संख्या 727, 726, 733 से होते हुए जाती है और फिर प्लाट संख्या 790, 788, 2241 की पूर्वी सीमा के साथ गुजरती है, फिर प्लाट संख्या 2348 के दक्षिण कोने तक पहुँचने के लिए प्लाट संख्या 783, 782, 2348 से होते हुए जाती है और फिर प्लाट संख्या 739 की सीमा तक पहुँचने के लिए दाहिनी ओर मुड़ती है और इसकी दक्षिणी सीमा के साथ ही साथ पूर्वी सीमा के साथ गुजरने के लिए बायाँ ओर मुड़ती है और फिर दाहिनी ओर मुड़ती है फिर प्लाट संख्या 768 की पूर्वी सीमा के साथ गुजरती है और फिर प्लाट संख्या 1076, 1078, 1079 से होते हुए गुजरती है, फिर प्लाट संख्या 1105 की पूर्वी सीमा तक पहुँचने के लिए प्लाट संख्या 1085, 1086 से होते हुए बढ़ती है और प्लाट संख्या 1105, 1119, 1124 की पूर्वी और दक्षिणी सीमा के साथ बढ़ती है, फिर प्लाट संख्या 1125 से होकर गुजरने के लिए बायें बढ़ती है और फिर प्लाट

संख्या 1129, 1128 की पूर्वी सीमा के साथ गुजरती है और फिर प्लाट संख्या 1132 से होकर गुजरती है और फिर प्लाट संख्या 1142 की उत्तरी सीमा के साथ बढ़ती है और खिंडा प्लाट संख्या 2159 और तालाबीरा प्लाट संख्या 2216 की सम्प्रिलित सीमा के साथ ग्राम खिंडा और तालाबीरा की सम्प्रिलित सीमा तक पहुँचने के लिए प्लाट संख्या 1141, 1135, से होते हुए गुजरती है और फिर पश्चिम की ओर मुड़ते हुए प्लाट संख्या 2216, 2217, 2218 तथा 2219 की दक्षिणी सीमा से होते हुए जाती है, फिर दक्षिण की ओर मुड़ते हुए प्लाट संख्या 2230 की पूर्वी सीमा से गुजरती है और फिर पूर्व की ओर मुड़ते हुए प्लाट संख्या 2231 की पूर्वी सीमा और प्लाट संख्या 2232 की उत्तरी सीमा से गुजरती है और प्लाट संख्या 2687, 2688 की पूर्वी सीमा के साथ दक्षिण की ओर जाती है और फिर प्लाट संख्या 2688 की दक्षिणी सीमा के साथ जाती है और फिर पूर्व की ओर मुड़ते हुए प्लाट संख्या 2237 के उत्तर पूर्वी सीमा के साथ जाती है और फिर प्लाट संख्या 2237 से हो कर तालाबीरा के प्लाट संख्या 2794 की पूर्वी सीमा तक पहुँचती है और ग्राम तालाबीरा और खिंडा की सम्प्रिलित सीमा को पार करने के लिए दक्षिण को बढ़ती है और खिंडा प्लाट संख्या 1369, 1370 की पूर्वी सीमा के साथ गुजरती है और फिर पश्चिम की ओर प्लाट संख्या 1370 के दक्षिणी सीमा के साथ जाती है और फिर प्लाट संख्या 1371, 1381, 1382, 1385, 1386 की पूर्वी सीमा के साथ गुजरती है और फिर प्लाट संख्या 1403 के उत्तरी पूर्वी कोने तक पहुँचने के लिए प्लाट संख्या 1386 से गुजरती है और फिर खिंडा ग्राम की प्लाट संख्या 1401 की दक्षिणी पूर्वी कोने पर बिन्दु-'ज' पर समाप्त होने के लिए प्लाट संख्या 1402, 1401 की पूर्वी सीमा के साथ आगे बढ़ती है।

ज से कः—रेखा खिंडा ग्राम प्लाट संख्या 1401 से दक्षिण पूर्व किनारे पर ज से बढ़ती है और फिर खिंडा की प्लाट संख्या 1400, 1401, 2408 की पश्चिमी सीमा के साथ दक्षिणी सीमा से गुजरती है और फिर प्लाट संख्या 1398 से होते हुए प्लाट संख्या 2267, 1394, 2409 से गुजरते हुए प्लाट संख्या 1396 की सीमा के साथ होते हुए प्लाट संख्या 2262 की दक्षिणी सीमा पर पहुँचती है और ग्राम खिंडा तथा तालाबीरा की सम्प्रिलित सीमा पर पहुँचने के लिए उसकी दक्षिण पश्चिम सीमा से गुजरती है और तालाबीरा प्लाट संख्या 2473 की पश्चिमी सीमा के साथ गुजरती है और तालाबीरा प्लाट संख्या 2472, 2471, 2468, 2462, 2463, 2461, 2456 से होते हुए प्लाट संख्या 2666 की पश्चिमी सीमा के साथ गुजरती है और प्लाट संख्या 2440, 2439, 2438 से होकर प्लाट संख्या 2437 तक पहुँचती है और फिर प्लाट संख्या 2437, 2434, 2432, 2431, 1965, 1968, 1969, 1970, 1972, 1973, 1977, 2788, 2019 की पश्चिमी सीमा के साथ गुजरती है और फिर प्लाट संख्या 2094 के दक्षिण-पश्चिम किनारे पर प्लाट संख्या 2020 से होते हुए पहुँचती है और फिर प्लाट संख्या 2094, 2093, 2092, 2595 की पश्चिमी सीमा के साथ होते हुए प्लाट संख्या 2089 से प्लाट संख्या 2143 पर पहुँचती है और प्लाट संख्या 2089, 2142, 2146, 2147 की पश्चिमी सीमा के साथ होते हुए प्लाट संख्या 2149 से होकर प्लाट संख्या 1369 पर पहुँचती है और इसकी उत्तरी सीमा से गुजरती है और फिर प्लाट संख्या

689,690 से होते हुए प्लाट संख्या 691 पर पहुँचती है और प्लाट संख्या 691, 692 की पश्चिमी सीमा से होते हुए प्लाट संख्या 703,704 से गुजरती है और फिर प्लाट संख्या 2556, 654 की पश्चिम सीमा के साथ और प्लाट संख्या 592 से होते हुए प्लाट संख्या 593, 595, 582, 581, 580, 579, 978, 966, 968, 1014 की पश्चिमी सीमा से होते हुए प्लाट संख्या 1032, 1035 की पश्चिमी सीमा से गुजरते हुए 1015, 1017 से गुजरती है और फिर प्लाट संख्या 1041, 1042 से होकर गुजरती है और फिर प्लाट संख्या 1043, 130, 131, 132, 133, 134, 124, 136, की पश्चिमी सीमा से गुजरती है और फिर प्लाट संख्या 48 से होते हुए प्लाट संख्या 29 पर पहुँचती है और फिर प्लाट संख्या 2928 की पश्चिमी सीमा से होते हुए प्लाट संख्या 27 से गुजरती है और फिर प्लाट संख्या 21 की पश्चिमी सीमा के साथ प्लाट संख्या 19 से होते हुए प्लाट संख्या 16 की पश्चिमी सीमा से गुजरती हुई ग्राम तालाबीरा और पत्रापाली सीमा को छूती है।

[फा. सं. 43015/2/2007-पी.आर.आई.डब्ल्यू-I(बाल्यू.II)]

एम. शहाबुद्दीन, अवर सचिव

New Delhi, the 28th August, 2009

S.O. 2414.—Whereas by the notification of the Government of India in the Ministry of Coal number S.O.1026 dated 8th May, 2008 issued under sub-section (1) of Section 7 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) (hereinafter referred to as the said Act), and published in the Gazette of India, Part-II, Section-3, sub-section (ii), dated 10th May, 2008, and amendment to the principal notification vide number S.O. 2354 dated 18th August, 2008 published in Part-II, Section-3, sub-section(ii) in the Gazette of India, Extraordinary dated 23rd August, 2008, the Central Government gave notice of its intention to acquire the lands and all rights in the locality specified in the Schedule appended to that notification.

And whereas, the competent authority in pursuance of Section 8 of the said Act, has made his report to the Central Government.

And whereas, the Central Government after considering the report aforesaid and after consulting the Government of Odisha is satisfied that the land measuring 383.893 hectares (approximately) or 948.600 acres (approximately) and all rights in or over such lands described in the Schedule appended hereto should be acquired.

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 9 of the Coal Bearing Areas (Acquisition and Development) Act, 1957, the Central Government hereby declares that the land measuring 383.893 hectares (approximately) or 948.600 acres (approximately) and all rights in or over such lands as described in the Schedule are hereby acquired.

The Plan bearing number MCL/SUR/TALB/03/2008 dated 12th July, 2008 of the area covered by this notification may be inspected in the office of the Collector, Sambalpur (Odisha), or in the office of the Coal Controller, 1, Council House Street, Kolkata-700001, or in the office of the General Manager (LR&R), Mahanadi Coalfields Limited (Land Revenue and Rehabilitation Department), Jagriti Vihar, PO. Jagriti Vihar, Burla, Sambalpur, Odisha.

SCHEDULE

IB Block XIII (Talabira-II)

Talabira Area, District : Sambalpur, Odisha

All Rights

(Plans bearing number MCL/SUR/TALB/03/2008
dated 12th July, 2008)

Sl. No	Name Mauja/ village	Vill No.	Teh /PS	District	Area in Hec.	Remarks
1.	Talabira	3	Rengali/ Katarbaga	Sambalpur	331.465	(Part)
2.	Khinda	2	Rengali/ Katarbaga	Sambalpur	52.428	(Part)
			Total		383.893	

Total 383.893 hectares (approximately) or 948.600 acres (approximately)

1. Plot numbers acquired in village- Talabira (Part)

1(P), 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 19(P), 21, 22, 23, 24, 25, 26, 27(P), 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48(P), 124, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386(P), 387, 388, 389(P), 392(P), 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 438(P), 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 592(P), 593, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689(P), 690(p), 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703(P), 704(P), 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015(P), 1017(P), 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1041(P), 1042(P), 1043(P), 1965, 1968, 1969, 1970, 1971, 1972, 1973, 1974, 1975, 1976, 1977, 1978, 1979, 1980, 1981, 1982, 2019, 2020(P), 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2146, 2147, 2148, 2149(P), 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2234, 2237(P), 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323,

2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2434, 2435, 2436, 2437, 2438(P), 2439(P), 2440(P), 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456(P), 2461(P), 2462(P), 2463(P), 2464, 2465, 2466, 2467, 2468(P), 2469, 2470, 2471(P), 2472(P), 2473, 2251/2474, 2194/2475, 2189/2476, 474/2477, 215/2478, 215/2479, 208/2480, 471/2481, 243/2484, 2203/2485, 2203/2486, 2187/2487, 2195/2491, 2195/2492, 2195/2493, 242/2494, 405/2502, 414/2503(P), 416/2505(P), 384/2506, 244/2507, 244/2508, 2186/2509, 2186/2510, 2185/2511, 2185/2512, 2185/2513, 147/2522, 2203/2531, 501/2532, 659/2533, 659/2534, 2444/2543, 2421/2546, 2405/2547, 2399/2548, 2399/2549, 2399/2550, 2399/2551, 2399/2552, 2399/2553, 704/2556, 136/2558, 180/2559, 3/2560, 2156/2584, 2133/2585, 2111/2586, 2020/2587, 2020/2588, 2104/2593, 2089/2595, 578/2598, 2412/2599, 254/2604, 254/2605, 255/2606, 2443/2665, 2443/2666, 2190/2674, 2190/2675, 2454/2676, 2454/2677, 2390/2678, 2390/2679, 997/2684, 1007/2685, 2234/2687, 2224/2688, 987/2697, 655/2704, 2265/2708, 2267/2709, 2267/2710, 2266/2711, 2264/2712, 185/2713, 185/2714, 185/2715, 214/2716, 216/2717, 228/2718, 239/2719, 239/2720, 242/2721, 242/2722, 242/2723, 455/2724, 520/2725, 520/2726, 520/2727, 520/2728, 521/2729, 522/2730, 600/2731, 625/2732, 623/2733, 653/2734, 654/2735, 986/2738, 1983/2788, 2189/2790, 2195/2791, 2227/2792, 2227/2793, 2238/2794, 2238/2795, 2242/2796, 2264/2797, 2270/2798, 2453/2799, 2453/2800, 2453/2801, 2453/2802, 2454/2803, 2454/2804, 2454/2805, 991/2806, 992/2807, 2354/2808, 2382/2809 & 2276/2810.

2. Plot numbers acquired in village: Khinda (part):

501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611(P), 666(P), 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 726(P), 727(P), 728, 729, 730, 731, 732, 733(P), 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754,

755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 782(P), 783(P), 788, 790, 1076(P), 1078(P), 1079(P), 1080, 1081, 1082, 1083, 1084, 1085(P), 1086(P), 1087, 1088, 1089, 1090, 1091, 1092, 1093, 1094, 1095, 1096, 1097, 1098, 1099, 1100, 1101, 1102, 1103, 1104, 1105, 1118, 1119, 1120, 1121, 1122, 1123, 1124, 1125(P), 1126, 1127, 1128, 1129, 1132(P), 1133, 1134, 1135(P), 1141(P), 1369, 1370, 1371, 1372, 1373, 1374, 1375, 1376, 1377, 1378, 1379, 1380, 1381, 1382, 1383, 1384, 1385, 1386(P), 1387, 1388, 1389, 1390, 1391, 1392, 1393, 1394(P), 1395, 1396, 1398(P), 1400, 1401, 1402, 1403, 678/2214, 682/2215, 699/2216, 705/2217, 734/2218, 736/2219, 689/2220, 582/2227, 687/2235, 783/2241, 1100/2247, 1394/2262, 1394/2263, 1394/2264, 1394/2265, 1394/2266, 1394/2267(P), 681/2275, 681/2276, 746/2304, 577/2335, 577/2336, 577/2337, 583/2338, 583/2339, 585/2340, 672/2341, 693/2342, 751/2343, 782/2348(P), 1388/2407, 1395/2408, 1444/2409(P), & 693/2432

Boundary Description of IB XIII (Talabira Block -II)

A-F: Line starts from beginning point 'A' on the common village boundary of village Talabira and Patrapali as well as on the north western corner of Talabira Plot number 16 then moves towards north along the common village boundary of Talabira & Patrapali upto Point A-1 then turn east and passes through Talabira Plot numbers 1, 389, 386, 389, 392, 2503, 2505, 438, upto point "F".

F-G: Line passes towards South along the common village boundary of Talabira and Khinda upto Talabira Plot number 448 and then turns east along the northern boundary of village Khinda plot numbers 2336, 577, 2335, 576, 571, 564, 563, 519 and turns towards north along the western boundary of plot numbers 529, 530, 512 then turns towards east and moves along the northern boundary of plot numbers 511, 510, 505 & 504 and meets point at point "G".

G-H: Line moves from Point "G" on the south east corner of village Khinda plot numbers 504, 503, 502, 501, 534, 557, 556, 561, 568, 610 and through plot no. 611 and then passes along the eastern boundary of plot number 611 and passes through plot number 666 and then passes along the eastern boundary of plot numbers 722, 721, 720, 719 and then passes through plot numbers 727, 726, 733, and then passes along the eastern boundary of plot numbers 790, 788, 2241 and then through plot numbers 783, 782, 2348 to reach to southern corner of plot number 2348 and then turns right to reach the boundary of plot number 739 and passes along its eastern as well as southern boundary and then turns left to pass along the western boundary of plot numbers 773, 772 and turns right and passes along the eastern boundary of plot number 768 and then through plot numbers

1076,1078,1079 then moves through plot numbers 1085, 1086 to reach the eastern boundary of plot number 1105 and moves along the eastern and southern boundary of plot numbers 1105,1119,1124 then moves left to passes through plot number 1125 and then passes along the eastern boundary of plot numbers 1129,1128 and then passes through plot number 1132 and then moves along the northern boundary of plot number 1142 and then passes through plot numbers 1141, 1135 to reach the common village boundary of Khinda and Talabira as well as the common boundary of Khinda, plot number 2159 and Talabira plot number 2216 and then moves towards west along the southern boundary of plot numbers 2216, 2217,2218 and 2219 then moves towards south along the eastern boundary of plot number 2230 and moves towards east along the eastern boundary of plot number 2231 and northern boundary of plot number 2232, and moves towards south along the eastern boundary of plot numbers 2687,2688 and moves towards the southern boundary of plot number 2688 and passes towards south along the north eastern boundary of plot number 2237 and passes through plot number 2237 to reach the Eastern boundary of plot number 2794 of village Talabira and moves South to cross the common boundary of village Talabira and Khinda and then passes along the eastern boundary of Khinda plot numbers 1369,1370 and then passes towards west along the southern boundary of plot number 1370 and moves along the eastern boundary of plot numbers 1371,1381,1382,1385,1386 and through plot number 1386 to reach the north-eastern corner of plot number 1403 and then passes along the eastern boundary of plot numbers 1402,1401 to terminate at Point 'H' on the south-eastern corner of plot number 1401 of village Khinda.

H-A: Line moves from point 'H' on the south-eastern corner of plot number 1401 of village Khinda and then passes along the southern as well as western boundary of Khinda plot numbers 1401, 1400, 2408 and then passes through plot number 1398 and then along the boundary of plot number 1396 to pass through plot numbers 2267,1394,2409 to reach the southern boundary of plot number 2262 and passes along its south and western boundary to reach the common boundary of village Khinda and Talabira and then passes along western boundary of Talabira plot number 2473 and pass through Talabira plot numbers 2472,2471,2468, 2462, 2463, 2461, 2456 and then passes along the western boundary of plot number

2666 and then passes through plot numbers 2440, 2439, 2438 to reach plot number 2437 and moves along the western boundary of plot numbers 2437, 2434, 2432, 2431, 1965, 1968, 1969, 1970, 1972,1973, 1977,2788, 2019 and then passes through plot number 2020 to reach south western corner of plot number 2094 and passes along the western boundary of plot numbers 2094, 2093, 2092, 2595 through plot number 2089 to reach plot number 2143 and passes along the western boundary of plot numbers 2089, 2142, 2146, 2147 and passes through plot number 2149 to reach the boundary of plot number 1369 and moves along its northern boundary and then passes through plot numbers 689,690 to reach plot number 691 and passes along the western boundary of plot numbers 691,692 and then passes through plot numbers 703,704 and then along the western boundary of plot numbers 2556, 654 and through plot number 592 and passes along the western boundary of plot numbers 593, 595, 582, 581, 580, 579, 978, 966, 968,1014 and passes through plot numbers 1015, 1017 and passes along the western boundary of plot numbers 1032,1035 and then passes through plot numbers 1041,1042 and then passes along western boundary of plot numbers 1043,130,131,132,133,134,124,136 and then pass through plot number 48 to reach plot number 29 and move along the western boundary of plot numbers 29,28 and then passes through plot number 27 then along the western boundary of plot number 21 and then passes through plot number 19 and then along the western boundary of plot number 16 to touch the common boundary of village Talabira and Patrapali.

[F.No.43015/2/2007-PRIW-1 (Vol.-II)]
M. SHAHABUDEEN, Under Secy.

पेट्रोलियम और प्राकृतिक गैस मंत्रालय

नई दिल्ली, 24 अगस्त, 2009

का.आ. 2415.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि आंश्च प्रदेश राज्य में आरओ.यु.पाइपलाइन “के डब्ल्यू.डी.के. से केसानापल्ली 2(1/C)” तक पेट्रोलियम के लिये पाईप लाईन तेल तथा प्रकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और अतः यह प्रतीत होता है कि ऐसी लाइनों के बिछाने के प्रयोजन के लिये एतदपाबन्द अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है :

बशर्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्रधिकारी तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग राजामुंद्रि एसटी के जी.बेसिन, ओ.एन.जी.सी., गोदावरी भवन, राजामुंद्रि, आनंद प्रदेश को अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति यह भी कथन करेगा कि क्या यह वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से या किसी विधि व्यवसायी की मार्फत ।

अनुसूची

आर.ओ.यु. पाइप लाईन: “के.डब्ल्यू.डी.के. से केसानापल्ली #2 (I/C)”

राज्य : आनंद प्रदेश मंडल : मामीडीकुदुरु

जिला : पूर्व गोदावरी गांव : करावाका H/O गोगन्नामटम

आर.एस.नं.	हेक्टेएस	एस	सेन्टेएस	एकड़	सेन्ट्स
(1)	(2)	(3)	(4)	(5)	(6)
447/2	0	17	5	0	43
450/5ए	0	07	5	0	19
449/पी	0	28	5	0	70
446/1(जीपी)	0	02	0	0	055
447/1(जीपी)	0	01	0	0	025
जोड़	0	56	5	1	40

राज्य : आनंद प्रदेश मंडल : मालीकीपुरम

जिला : पूर्व गोदावरी गांव : केसानापल्ली

आर.एस.नं.	हेक्टेएस	एस	सेन्टेएस	एकड़	सेन्ट्स
(1)	(2)	(3)	(4)	(5)	(6)
568/2सी2	0	05	5	0	14
568/2सी3	0	01	5	0	04
568/2बी2	0	09	5	0	23
जोड़	0	16	5	0	41

[सं. 12016/7/2009-ओ.एन.जी.डी.-3]

आर.एस. सिकदर, अवर सचिव

MINISTRY OF PETROLEUM AND NATURAL GAS

New Delhi, the 24th August, 2009

S. O. 2415.—Whereas it appears to the Government of India that it is necessary in public interest that for the transportation of petroleum from “KDWK to Kesanapalli# 2(I/C)” in the state of Andhra Pradesh, a pipeline should be laid by the OIL & NATURAL GAS CORPORATION LTD.

And Whereas it appears to the Government of India that for the purpose of laying the said pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed here to :—

Now, Therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of right of User in land) Act, 1962 (50 of 1962), the Government of India hereby declares its intention to acquire the right of user therein :

Any person interested in the said land may, within twenty one days from the date on which the copies of the notification, as published in the Gazette of India, are made available to the general public, object in writing to the acquisition of the Right of User therein for, laying the pipe line under the land to the Competent Authority, Oil & Natural Gas Corporation Ltd, Rajahmundry Asset/K.G., Basin, Godavari Bhavan, Base Complex, Rajahmundry, Andhra Pradesh.

SCHEDULE

ROU Pipeline from “KWDK to Kesanapalli# 2(I/C)”

State : Andhra Pradesh	Mandal : Mamidikuduru
District : East Godavari	Village : Karawaka H/o Gogannamatram

R.S. No.	Hectares	Ares	Centi Ares	Acres	Cents
(1)	(2)	(3)	(4)	(5)	(6)
447/2	0	17	5	0	43
450/5A	0	07	5	0	19
449/P	0	28	5	0	70
446/1(G.P.)	0	02	0	0	055
447/1(G.P.)	0	01	0	0	025
Total	0	56	5	1	40

State : Andhra Pradesh Mandal : Malikipuram

District : East Godavari Village : Kesanapalli

R.S. No.	Hectares	Ares	Centi Ares	Acres	Cents
(1)	(2)	(3)	(4)	(5)	(6)
568/2C2	0	05	5	0	14
568/2C3	0	01	5	0	04
568/2B2	0	09	5	0	23
Total	0	16	5	0	41

[No. 12016/7/2009/ONGD.III]

R. S. SIKDAR, Under Secy.

नई दिल्ली, 24 अगस्त, 2009

का.आ. 2416.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि आनंद प्रदेश राज्य में आर.ओ.यु. पाइप लाइन पि.एम.ए.ए. से मेडापाढ़ु-1 तक पेट्रोलियम के लिये पाइप लाइन तेल तथा प्रकृतिक गैस आयोग द्वारा बिछाइ जानी चाहिए।

और अतः यह प्रतीत होता है कि ऐसी लाइनों के बिछाने के प्रयोजन के लिये एतदपाबन्द अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब, पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है :

बशर्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्रधिकारी तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग राजामुन्द्रि एसट/के.जी.बेसिन, आ.एन.जी.सी., गोदावरी भवन, राजामुन्द्रि, आनंद प्रदेश को अधिसूचना की तरीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति यह भी कथन करेगा कि क्या यह वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से या किसी विधि व्यवसायी की माफत।

अनुसूची

आर.ओ.यु. पाइप लाइन “पि.एम.ए.ए. से मेडापाढ़ु-1”

राज्य : आनंद प्रदेश मंडल : येलामंचालि

जिले : पश्चिम गोदावरी गांव : मेडापाढ़ु

आर.एस.नं.	हेक्टेएस	एस	सेन्टेएस	एकड़	सेन्टस
(1)	(2)	(3)	(4)	(5)	(6)
8/2. (Govt Poramboke)	0	03	0	0	07
7/1A	0	00	5	0	01
7/2B	0	02	5	0	05 ½
9/3A1	0	02	5	0	05 ½
10/1BI	0	01	5	0	03 ½
10/1A2	0	01	5	0	03 ½
171/2A (Poramboke)	0	01	0	0	03
11/1A	0	01	5	0	04
11/2A	0	01	5	0	03 ½
12/1A	0	01	5	0	04
25/2	0	02	0	0	05
25/3	0	02	0	0	05
25/4	0	02	0	0	04 ½

(1)	(2)	(3)	(4)	(5)	(6)
25/5	0	01	0	0	01 ½
26P	0	01	5	0	04
25/6	0	01	0	0	02 ½
26P	0	02	5	0	06
42P	0	02	5	0	05 ½
43/1A	0	01	5	0	04
43/1A	0	01	5	0	04
43/1A	0	02	0	0	05
43/1A	0	02	0	0	05
44/1A	0	02	5	0	06
44/1B	0	03	0	0	07 ½
46/1A1	0	01	5	0	04
46/1B1	0	01	5	0	04
46/4A	0	01	0	0	02 ½
43/1A	0	01	0	0	03
46/6A	0	02	0	0	04 ½
46/2A	0	02	0	0	04 ½
172/1	0	08	0	0	20
173/2	0	01	0	0	03
173/1	0	01	0	0	03
171/1A	0	01	5	0	03 ½
46/5A	0	01	0	0	03
46/5A	0	01	0	0	03
12/2A	0	02	0	0	05
TOTAL:	0	69	5	1	72

राज्य : आनंद प्रदेश

मंडल: पोदुरु

जिले : पश्चिम गोदावरी

गांव : पेनुमदाम

आर.एस.नं.	हेक्टेएस	एस	सेन्टेएस	एकड़	सेन्टस
(1)	(2)	(3)	(4)	(5)	(6)
178/1ए	0	02	0	0	05
177/1बी	0	09	0	0	22
177/2ए2	0	05	0	0	12
666/1	0	04	5	0	11

(1)	(2)	(3)	(4)	(5)	(6)	(1)	(2)	(3)	(4)	(5)	(6)
177/2ए	0	05	5	0	13	648/7बी	0	03	5	0	09
173/2ए	0	04	0	0	10	648/8बी	0	01	0	0	03
341/1ए	0	01	0	0	02	642/1बी	0	01	0	0	02
176/1ए	0	01	5	0	04	(Poramboke)					
175/2ए1	0	02	5	0	06	642/2बी	0	00	5	0	01
176/1बी	0	02	5	0	06	(Poramboke)					
176/2ए	0	03	0	0	07	650/4बी	0	01	0	0	02
175/1ए2	0	03	0	0	07	650/3बी	0	02	0	0	05
175/1ए1	0	01	5	0	04	650/6बी	0	01	5	0	04
175/2बी1	0	01	5	0	04	650/8बी	0	02	5	0	06
175/2सी1	0	03	5	0	09	650/9बी	0	03	5	0	09
175/2सी2	0	04	0	0	10	651/2	0	01	0	0	03
340/1 (Poramboke)	0	06	5	0	16	(Poramboke)					
327/1 (Poramboke)	0	01	0	0	02	667/1ए1	0	03	0	0	08
339/1ए	0	02	0	0	05	668/2ए1	0	01	0	0	02½
339/2ए	0	18	0	0	44	598/2	0	01	0	0	03
339/3बी	0	08	0	0	20	(Poramboke)					
372/1ए	0	05	0	0	12	599/1बी	0	05	5	0	01
372/3ए	0	03	0	0	08	603/2	0	02	0	0	05
372/3बी	0	02	0	0	05	604/4बी	0	01	5	0	04
372/4ए	0	12	0	0	30	604/6बी2	0	00	5	0	01
371/2 (Poramboke)	0	01	0	0	02	602/3बी	0	03	0	0	08
368/पी	0	03	0	0	07	604/8बी	0	01	5	0	04
367/4बी	0	04	0	0	10	604/10	0	00	5	0	01
367/4सी	0	05	5	0	13	667/1बी1	0	02	5	0	06
367/7बी	0	03	0	0	07	604/9बी	0	09	5	0	24
602/1बी	0	08	5	0	21	602/1सी	0	04	0	0	10
646/1बी (Poramboke)	0	01	5	0	04	602/2बी	0	05	5	0	13
646/3ए	0	06	5	0	16	602/4बी	0	16	0	0	40
464/1बी2	0	02	0	0	05	591/1ए2	0	05	0	0	12
647/1	0	01	0	0	01½	685/2	0	05	5	0	14
355/2 (Poramboke)	0	01	0	0	01½	591/1बी2	0	02	0	0	05
354/पी	0	07	0	0	17	591/1बी3	0	02	0	0	05
						586/2	0	01	5	0	04
						(Poramboke)					
						585/2बी	0	08	0	0	20
						582/2बी	0	05	5	0	14
						582/2सी	0	07	5	0	18
						582/2डी	0	09	5	0	23

(1)	(2)	(3)	(4)	(5)	(6)	(1)	(2)	(3)	(4)	(5)	(6)
682/1ए2	0	05	5	0	14	773/1बी	0	06	0	0	15
683/3बी2	0	05	5	0	14	771/1बी2	0	03	0	0	08
688/2 (Poramboke)	0	01	5	0	04	770/4ए2	0	04	0	0	10
689/2ए2	0	11	5	0	29	786/5ए2	0	03	5	0	09
690/1ए	0	01	5	0	03 ½	786/3बी	0	07	0	0	17
691/1ए2	0	07	0	0	17	779/2	0	03	5	0	09
693/1बी	0	06	5	0	16	779/3	0	02	0	0	05
692/1बी	0	03	0	0	07	780/1ए2	0	01	0	0	02 ½
692/1सी	0	03	0	0	08	787/1बी	0	11	0	0	27
692/1डी	0	03	0	0	07 ½	787/4बी	0	03	0	0	08
692/2बी	0	05	5	0	13 ½	787/6बी	0	05	5	0	13
721/2बी	0	09	0	0	22	786/1ए2	0	02	0	0	05
725/1ए2	0	01	5	0	04	786/1सी2	0	01	5	0	04
725/1बी2	0	08	5	0	21	786/2सी2	0	03	5	0	09
728/3बी	0	06	0	0	15	786/5बी2	0	03	0	0	08
725/1बी 3	0	05	5	0	13	786/5सी2	0	01	5	0	04
725/2बी	0	01	0	0	02	783/2	0	01	0	0	02
728/2बी	0	03	0	0	08	1196/2	0	03	0	0	08
742/2	0	01	0	0	02 ½	Total	5	02	0	12	40 ½
773/2बी	0	07	0	0	17						
773/3बी	0	06	5	0	16						
771/सी 2	0	04	0	0	10						
771/2बी1	0	01	0	0	02						
771/2सी 2	0	05	0	0	05						
733/2बी	0	18	0	0	45						
729/3सी	0	03	0	0	07						
729/3बी	0	06	0	0	15						
774/2बी	0	05	0	0	12						
732पी	0	01	5	0	04						
730/1बी	0	00	5	0	01						
730/2बी	0	01	0	0	02						
730/3बी	0	00	5	0	00 ½						
731/3बी	0	06	0	0	15						
774/1बी 2	0	05	5	0	14						
774/2सी	0	03	5	0	09						

[सं. 12016/7/2009—ओ.एन.जी.-डी-III]

आर. एस. सिकदर, अवर सचिव

New Delhi, the 24th August, 2009

S. O. 2416.—Whereas it appears to the Government of India that it is necessary in public interest that for the transportation of petroleum from "PMAA to MEDAPADU-I" in the state of Andhra Pradesh, a pipeline should be laid by the Oil & Natural Gas Corporation Ltd.

And whereas it appears to the Government of India that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto :—

Now, Therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in land) Act, 1962 (50 of 1962), the Central Government of India hereby declares its intention to acquire the Right of user therein :

Any person interested in the said land may object within 21 days from the date of this notification, to laying the pipeline under the land to the Competent Authority, Oil & Natural Gas Corporation Ltd, Rajahmundry Asset/

K.G., Basin, Godavari Bhavan, Base Complex,
Rajahmundry, Andhra Pradesh.

ROU PIPE LINE FROM PMAA to MEDAPADU-I

State : Andhra Pradesh Mandal : Elamanchili

District : West Godavari Village : Medapadu

R.S. No.	Hectares	Ares	Centi Ares	Acres	Cents
8/2. (Govt Poramboke)	0	03	0	0	07
7/1A	0	00	5	0	01 ½
7/2B	0	02	5	0	05 ½
9/3A1	0	02	5	0	05 ½
10/1B1	0	01	5	0	03 ½
10/1A2	0	01	5	0	03 ½
171/2A (Poramboke)	0	01	0	0	03
11/1A	0	01	5	0	04
11/2A	0	01	5	0	03 ½
12/1A	0	01	5	0	04
25/2	0	02	5	02	05
25/3	0	02	0	0	05
25/4	0	02	0	0	04 ½
25/5	0	01	0	0	01 ½
26p	0	01	5	0	04
25/6	0	01	0	0	02 ½
26p	0	02	5	0	06
42p	0	02	5	0	05 ½
43/1A	0	01	5	0	04
43/1A	0	01	5	0	04
43/1A	0	02	0	0	05
43/1A	0	02	0	0	05
44/1A	0	02	5	0	06
44/1B	0	03	0	0	07 ½
46/1A1	0	01	5	0	04
46/1B1	0	01	5	0	04
46/4A	0	01	0	0	02 ½
43/1A	0	01	0	0	03
46/6A	0	02	0	0	04 ½
46/2A	0	02	0	0	04 ½
172/1	0	08	0	0	20

	(1)	(2)	(3)	(4)	(5)	(6)
173/2	0	01	0	0	0	03
173/1	0	01	0	0	0	03
171/1A	0	01	5	0	03 ½	
46/5A	0	01	0	0	0	03
46/5A	0	01	0	0	0	03
12/2A	0	02	0	0	0	05
TOTAL:	0	69	5	1	72	

State : Andhra Pradesh Mandal : Poduru
District : West Godavari Village : Penumadam

R.S. No.	Hectares	Ares	Centi Ares	Acres	Cents
178/1A	0	02	0	0	05
177/1B	0	09	0	0	22
177/2A1	0	05	0	0	12
666/1	0	04	5	0	11
177/2A2	0	05	5	0	13
173/2A	0	04	0	0	10
341/1A	0	01	0	0	02
176/1A	0	01	5	0	04
175/2A1	0	02	5	0	06
176/1B	0	02	5	0	06
176/2A	0	03	0	0	07
175/1A2	0	03	0	0	07
175/1A1	0	01	5	0	04
175/2B1	0	01	5	0	04
175/2C1	0	03	5	0	09
175/2C2	0	04	0	0	10
340/1 (Poramboke)	0	06	5	0	16
327/1 (Poramboke)	0	01	0	0	02
339/1A	0	02	0	0	05
339/2A	0	18	0	0	44
339/3B	0	08	0	0	20
372/1A	0	05	0	0	12
372/3A	0	03	0	0	08

(1)	(2)	(3)	(4)	(5)	(6)	(1)	(2)	(3)	(4)	(5)	(6)
372/3B	0	02	0	0	05	602/1C	0	04	0	0	10
372/4A	0	12	0	0	30	602/2B	0	05	5	0	13
371/2 (Poramboke)	0	01	0	0	02	602/4B	0	16	0	0	40
368/p	0	03	0	0	07	591/1A2	0	05	0	0	12
367/4B	0	04	0	0	10	685/2	0	05	5	0	14
367/4C	0	05	5	0	13	591/1B2	0	02	0	0	05
367/7B	0	03	0	0	07	591/1B3	0	02	0	0	05
602/1B	0	08	5	0	21	586/2	0	01	5	0	04
646/1B (Poramboke)	0	01	5	0	04	(Poramboke)					
646/3A	0	06	5	0	16	585/2B	0	08	0	0	20
464/1B2	0	02	0	0	05	582/2B	0	05	5	0	14
647/1	0	01	0	0	01½	582/2C	0	07	5	0	18
355/2 (Poramboke)	0	01	0	0	01½	582/2D	0	09	5	0	23
354/p	0	07	0	0	17	682/1A2	0	05	5	0	14
648/7B	0	03	5	0	09	683/3B2	0	05	5	0	14
648/8B	0	01	0	0	03	688/2 (Poramboke)	0	01	5	0	04
642/1B (Poramboke)	0	01	0	0	02	689/2A2	0	11	5	0	29
642/2B (Poramboke)	0	00	5	0	01	690/1A	0	01	5	0	03 ½
650/4B	0	01	0	0	02	691/1A2	0	07	0	0	17
650/3B	0	02	0	0	05	693/1B	0	06	5	0	16
650/6B	0	01	5	0	04	692/1B	0	03	0	0	07
650/8B	0	02	5	0	06	692/1C	0	03	0	0	08
650/9B	0	03	5	0	09	692/1D	0	03	0	0	07 ½
651/2 (Poramboke)	0	01	0	0	03	692/2B	0	05	5	0	13 ½
667/1A1	0	03	0	0	08	721/2B	0	09	0	0	22
668/2A1	0	01	0	0	02 ½	725/1A2	0	01	5	0	04
598/2 (Poramboke)	0	01	0	0	03	725/1B2	0	08	5	0	21
599/1B	0	05	0	0	01	728/3B	0	06	0	0	15
603/2 (Poramboke)	0	02	0	0	05	725/1B3	0	05	5	0	13
604/4B	0	01	5	0	04	725/2B	0	01	0	0	02 ½
604/6B2	0	00	5	0	01	773/2B	0	07	0	0	17
602/3B	0	03	0	0	08	773/3B	0	06	5	0	16
604/8B	0	01	5	0	04	771/1C2	0	04	0	0	10
604/10	0	00	5	0	01	771/2B1	0	01	0	0	02
667/1B1	0	02	5	0	06	771/2C2	0	05	0	0	12
604/9B	0	09	5	0	24						

(1)	(2)	(3)	(4)	(5)	(6)
733/2B	0	18	0	0	45
729/3C	0	03	0	0	07
729/3B	0	06	0	0	15
774/2B	0	05	0	0	12
732p	0	01	5	0	04
730/1B	0	00	5	0	01
730/2B	0	01	0	0	02
730/3B	0	00	5	0	00 1/2
731/3B	0	06	0	0	15
774/1B2	0	05	5	0	14
774/2C	0	03	5	0	09
773/1B	0	06	0	0	15
771/1B2	0	03	0	0	08
770/4A2	0	04	0	0	10
786/5A2	0	03	5	0	09
786/3B	0	07	0	0	17
779/2	0	03	5	0	09
779/3	0	02	0	0	05
780/1A2	0	01	0	0	02 1/2
787/1B	0	11	0	0	27
787/4B	0	03	0	0	08
787/6B	0	05	5	0	13
786/1A2	0	02	0	0	05
786/4B2	0	02	5	0	06
786/1C2	0	01	5	0	04
786/2C2	0	03	5	0	09
786/5B2	0	03	0	0	08
786/5C2	0	01	5	0	04
783/2	0	01	0	0	02
1196/2	0	03	0	0	08
TOTAL	5	02	0	12	40 1/2

[No. 12016/7/2009-ONGD-III]

R. S. SIKDAR, Under Secy.

नई दिल्ली, 24 अगस्त, 2009

का.आ. 2417.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि आनंद्र प्रदेश राज्य में आर.ओ.यू. पाइप लाईन “केसानापल्ली जी.सी.एस से पोन्नामंडा ई.पी.एस तक पेट्रोलियम के लिये पाइप लाईन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाइ जानी चाहिए।

और अतः यह प्रतीत होता है कि ऐसी लाईनों के बिछाने के प्रयोजन के लिये एतदपावन्द्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब, पेट्रोलियम और खनिज पाइप लाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है :

बशर्ते कि उक्त भूमि में हितवद्ध कोई व्यक्ति, उस भूमि के नीचे पाइप लाईने लिए आक्षेप सक्षम प्रधिकारी तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, राजामुन्द्र एसट/के.जी.बेसिन, ओ.एन.जी.सी., गोदावरि भवन, राजामुन्द्र, आनंद्र प्रदेश को अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति यह भी कथन करेगा कि क्या यह वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से या किसी विधि व्यवसायी की माफत हो।

अनुसूची

आर.ओ.यू. पाइप लाईन: “केसानापल्ली जी.सी.एस. से पोन्नामंडा ई.पी.एस.

राज्य : आनंद्र प्रदेश	मंडल : राजोल
जिला : पूर्व गोदावरी	गांव : काटरेनीपाडु

आर.एस.नं.	हेक्टेएर्स	एस	सेट्टर्स	एकड़	संदर्भ
1/1	0	03	0	0	07
1/2	0	01	0	0	02
6/1बी	0	06	5	0	16
6/15ए	0	01	0	0	02
6/1ए	0	03	5	0	09
6/1Cपीटी	0	05	0	0	12
6/1डी	0	03	0	0	08
1/1पीटी	0	01	5	0	04
6/4ए	0	05	0	0	12
6/5ए	0	02	0	0	05

आर.एस.नं.	हेक्टेएस	एस	सेन्टेएस	एकड़	सेन्ट्स
6/6ए	0	01	0	0	03
6/7ए	0	01	0	0	03
6/8ए	0	00	5	0	01
TOTAL	0	34	0	0	84

राज्य : आंन्ध्र प्रदेश

मंडल : मलीकीपुरम्

जिजा : पूर्व गोदावरि

गांव : केसानापल्ली

आर.एस.नं.	केटेएस	एस	सेन्टेएस	एकड़	सेन्ट्स
495/3	0	10	0	0	25
495/2	0	08	0	0	20
495/1	0	03	5	0	09
485/2	0	04	0	0	10
485/1	0	01	5	0	04
484/10ए	0	05	0	0	12
TOTAL	0	32	0	0	80

[सं. 12016/7/2009-ओ.एन.जी.डी.-III]

आर.एस. सिकदर, अवर सचिव

New Delhi, the 24th August, 2009

S. O. 2417.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transportation of petroleum from “Kesanapalli GCS to Ponnamanda EPS” in the A.P. state pipeline should be laid by the OIL & NATURAL GAS CORPORATION LTD.

And Whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the Right of user in the land described in the schedule annexed here to :—

Now, Therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of Users in the land Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein :

Any person interested in the said land may, object within 21 days from the date of this notification, to laying the pipe line under the land to the Competent Authority, Oil & Natural Gas Corporation Ltd, Rajahmundry Asset/ K.G., Basin, Godavari Bhavan, Base Complex, Rajahmundry, Andhra Pradesh.

SCHEDULE
ROU Pipeline from “Kesanapalli GCS to Ponnamanda EPS”

R.S. No.	Hectares	Ares	Centi ares	Acres	Cents
1/1	0	03	0	0	7
1/2	0	01	0	0	02
6/1B	0	06	5	0	16
6/15A	0	01	0	0	02
6/1A	0	03	5	0	09
6/1C pt	0	05	0	0	12
6/1D	0	03	0	0	08
1/1pt	0	01	5	0	04
6/4A	0	05	0	0	12
6/5A	0	02	0	0	05
6/6A	0	01	0	0	03
6/7A	0	01	0	0	03
6/8A	0	00	5	0	01
TOTAL	0	34	0	0	84

State : Andhra Pradesh Mandal : Malikipuram

District : East Godavari Village : Kesanapalli

R.S. No.	Hectares	Ares	Centi ares	Acres	Cents
495/3	0	10	0	0	25
495/2	0	08	0	0	20
495/1	0	03	5	0	09
485/2	0	04	0	0	10
485/1	0	01	5	0	04
484/10A	0	05	0	0	12
TOTAL	0	32	0	0	80

[No. 12016/7/2009/ONGD. III]

R. S. SIKDAR, Under Secy.

नई दिल्ली, 24 अगस्त, 2009

का.आ. 2418.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि आन्ध्र प्रदेश राज्य में आर.ओ.यू. पाइप लाईन ताटिपाका-17 से ताटिपाका-16 तक पेट्रोलियम के लिये पाइप लाईन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और अतः यह प्रतीत होता है कि ऐसी लाइनों के बिछाने के प्रयोजन के लिये एतदपाद अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब, पेट्रोलियम और खनिज पाइप लाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उप-धारा (1) द्वारा प्रदत्त शब्दियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

बशर्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइप लाईन बिछाने के लिए आक्षेप सक्षम प्राधिकारी तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग राजामंड्रि एसट/के. जी.बेसिन, ओ.एन.जी.सी., गोदावारि भवन, राजामंड्रि, आन्ध्र प्रदेश अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेंगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति यह भी कथन करेगा कि क्या यह वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से या किसी विधि व्यवसायी की माफत।

अनुसूची

आर.ओ.यू. पाइप लाईन: “ताटिपाका-17 से ताटिपाका-16

राज्य : आन्ध्र प्रदेश

मंडल : मामीडीकुदुरु

जिले : पूर्व गोदावारी

गांव : गेढाडा

आर.एस.नं.	हेक्टेएर्स	एर्स	सेन्टेएर्स	एकड़	सेन्टस
(1)	(2)	(3)	(4)	(5)	(6)
115/3	0	07	0	0	17
115/4	0	07	5	0	18
116/1	0	01	0	0	02 1/2
116/2	0	09	0	0	22 1/2
119/2	0	09	0	0	22
119/3	0	03	0	0	08 1/2
118	0	01	5	0	04
जोड़	0	38	0	0	94 1/2

राज्य : आन्ध्र प्रदेश

मंडल : राजोल

जिले : पूर्व गोदावारी

गांव : वेगिवारीपालेम, H/o खडाल

आर.एस.नं.	हेक्टेएर्स	एर्स	सेन्टेएर्स	एकड़	सेन्टस
(1)	(2)	(3)	(4)	(5)	(6)
373/2	0	05	0	0	12
373/1	0	03	5	0	09
375/4	0	08	5	0	21 1/2
375/3	0	01	0	0	02 1/2
जोड़	0	18	0	0	45

[सं. 12016/7/2009-ओ.एन.जी.डी-III]

आर.एस. सिकदर, अवर सचिव

New Delhi, the 24th August, 2009

S. O. 2418 .—Whereas it appears to the Central Government that is necessary in the public interest that for the transportation of petroleum from Tatipaka # 17 to Tatipaka-16 in the A.P. state pipeline should be laid by the Oil & Natural Gas Corporation Ltd.

And whereas it appears to that for the purpose of laying the said pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed here to :—

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the land Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein :

Any person interested in the said land may object within 21 days from the date of this notification, to laying the pipeline under the land to the Competent Authority Oil & Natural Gas Corporation Ltd., Rajahmundry Asset/K.G., Basin, Godavari Bhavan, Base Complex, Rajahmundry, Andhra Pradesh.

ROU Pipeline from "Tatipaka-17 to Tatipaka-16"

State : Andhra Pradesh

Mandal : Mamidikuduru

District : East Godavari

Village : Geddada

R.S. No.	Hectares	Ares	Centi ares	acres	Cents
(1)	(2)	(3)	(4)	(5)	(6)
115/3	0	07	0	0	17
115/4	0	07	5	0	18
116/1	0	01	0	0	02 1/2
116/2	0	09	0	0	22 1/2
119/2	0	09	0	0	22
119/3	0	03	0	0	08 1/2
118	0	01	5	0	04
TOTAL	0	38	0	0	94 1/2

State : Andhra Pradesh

Mandal : Razole

District : East Godavari

Village : Vegivaripalem
H/o Kadali

R.S. No.	Hectares	Ares	centi ares	acres	Cents
(1)	(2)	(3)	(4)	(5)	(6)
373/2	0	05	0	0	12
373/1	0	03	5	0	09
375/4	0	08	5	0	21 1/2
375/3	0	01	0	0	02 1/2
TOTAL	0	18	0	0	45

[No. 12016/7/2009/ONGD. III]

R. S. SIKDAR, Under Secy.

नई दिल्ली, 24 अगस्त, 2009

का.आ. 2419.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि आन्ध्र प्रदेश राज्य में आर.आ.यु.पाईप लाइन एस.आर.ए.सि. से पि.एस.पि.-29 तक पेट्रोलियम के लिये पाईप लाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और अतः यह प्रतीत होता है कि ऐसी लाइनों के बिछाने के प्रयोजन के लिये एतदपाबद अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब, पेट्रोलियम और खनिज पाईप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50)

की धारा 3 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतदद्वारा घोषित किया है :

बशर्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाईप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग राजार्मन्द्र एसट/के. जी.बेसिन, ओ.एन.जी.सी., गोदावारि भवन, राजार्मन्द्र, आन्ध्र प्रदेश अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति यह भी कथन करेगा कि क्या यह वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से या किसी विधि व्यवसायी की माफत।

अनुसूची

आर.आ.यु.पाईप लाइन: "एस.आर.ए.सि. से पि.एस.पि-29"

राज्य : आन्ध्र प्रदेश

मंडल : अब्लावाराम

जिला : पूर्व गोदावारी

गांव : गुडाला

आर.एस.नं.	हेक्टेएस	एस	सेन्टेएस	एकड़	सेन्ट्स
(1)	(2)	(3)	(4)	(5)	(6)
187/5पी	0	00	5	0	01
187/7पी	0	08	0	0	20
187/9पी	0	01	0	0	02 1/2
187/10	0	04	0	0	10
187/11	0	01	5	0	04
187/19पी	0	05	5	0	13
180/20पी	0	03	5	0	09
157/2पी	0	02	0	0	05
156/1पी	0	02	0	0	05
156/2एपी	0	11	0	0	27
154/1एपी	0	00	5	0	01
154/1बीपी	0	03	5	0	09
154/2पी	0	01	5	0	04 1/2
154/4पी	0	02	0	0	05

(1)	(2)	(3)	(4)	(5)	(6)	(1)	(2)	(3)	(4)	(5)	(6)
154/5पी	0	03	0	0	08 1/2	134/1पी	0	04	5	0	11
152/1ए	0	03	0	0	07 1/2	130/1पी	0	05	5	0	14
152/1बी	0	03	0	0	07 1/2	130/3पी	0	05	0	0	12
153	0	05	0	0	12	128/1पी	0	02	0	0	05
149/2	0	02	5	0	06	176/6	0	03	0	0	08
149/3	0	02	5	0	06	176/7	0	00	5	0	01
149/4	0	05	5	0	14	128/2पी	0	04	5	0	11
149/5बी1	0	03	0	0	08	149/2पी	0	02	5	0	06
149/5बी2	0	03	0	0	08	149/3पी	0	03	0	0	07 1/2
148/1ए	0	00	5	0	01	149/4पी	0	05	5	0	14
148/1बी	0	04	0	0	10	148/1एपी	0	03	0	0	07
148/1सी	0	04	0	0	10	148/1बीपी	0	02	0	0	05
148/2बी	0	04	0	0	10	148/1सी	0	04	0	0	10
148/3	0	02	5	0	06 1/2	147/3पी	0	10	5	0	26
145/4	0	03	0	0	08 1/2	147/4पी	0	01	0	0	02
146/1बी1	0	03	0	0	07	176/4बीपी	0	06	5	0	16
146/1बी2	0	03	0	0	08	178/1पी	0	01	0	0	03
146/1बी3	0	02	5	0	06 1/2	178/4एपी	0	07	5	0	18
146/1बी4	0	06	0	0	15	144/P (poramboke)	0	02	5	0	0 6
146/1बी5	0	04	0	0	10	जोड़	0	95	0	2	35 1/2
320/पी	0	26	5	0	66						
319/3बी	0	13	0	0	37 1/2						
जोड़	0	57	5	3	89 1/2						

राज्य : आंध्र प्रदेश

मंडल : अल्लावाराम

जिले : पूर्व गोदावारी

गांव : ताडिकोना

आर.एस.नं.	हेक्टेएर्स	एर्स	सेन्ट्रेएर्स	एकड़	सेन्ट्रस
(1)	(2)	(3)	(4)	(5)	(6)
133/1ए	0	09	0	0	22
133/1बी	0	01	0	0	02
133/2ए	0	06	5	0	16
133/2बी	0	05	5	0	13

[सं. 12016/7/2009—ओएनजीडी—III]

आर.एस. सिकदर, अवर सचिव

New Delhi, the 24th August, 2009

S. O. 2419.—Whereas it appears to the Central Government that it is necessary in public interest that for the transport of petroleum from "SRAC to PSP # 29" in the A.P. state pipeline should be laid by the Oil & Natural Gas Corporation Ltd.

And Whereas it appears to the Government of India that for the purpose of laying the said pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed here to :—

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the Right of user therein :

Any person interested in the said land may object within 21 days from the date of this notification, to laying the pipe line under the land to the Competent Authority Oil & Natural Gas Corporation Ltd, Rajahmundry Asset/K.G., Basin, Godavari Bhawan, Base Complex, Rajahmundry, Andhra Pradesh.

SCHEDULE

ROU Pipeline "SRAC to PSP-29"

State : Andhra Pradesh		Mandal : Allavaram			
District : East Godavari		Village : Gudala			
R.S. No.	Hectares	Ares	Centi Ares	Acres	Cents

(1)	(2)	(3)	(4)	(5)	(6)
187/5P	0	00	5	0	01
187/7P	0	08	0	0	20
187/9P	0	01	0	0	02 1/2
187/10	0	04	0	0	10
187/11	0	01	5	0	04
187/19P	0	05	5	0	13
180/20P	0	03	5	0	09
157/2P	0	02	0	0	05
156/1P	0	02	0	0	05
156/2AP	0	11	0	0	27
154/1AP	0	00	5	0	01
154/1BP	0	03	5	0	09
154/2P	0	01	5	0	04 1/2
154/4P	0	02	0	0	05
154/5P	0	03	0	0	08 1/2
152/1A	0	03	0	0	07 1/2
152/1B	0	03	0	0	07 1/2
153	0	05	0	0	12
149/2	0	02	5	0	06
149/3	0	02	5	0	06
149/4	0	05	5	0	14
149/5B1	0	03	0	0	08

(1)	(2)	(3)	(4)	(5)	(6)
149/5B2	0	03	0	0	08
148/1A	0	00	5	0	01
148/1B	0	04	0	0	10
148/1C	0	04	0	0	10
148/2B	0	04	0	0	10
148/3	0	02	5	0	06 1/2
145/4	0	03	0	0	08 1/2
146/1B1	0	03	0	0	07
146/1B2	0	03	0	0	08
146/1B3	0	02	5	0	06 1/2
146/1B4	0	06	0	0	15
146/1B5	0	04	0	0	10
320/P	0	26	5	0	66
319/3B	0	13	0	0	37 1/2
TOTAL	1	57	5	3	89 1/2

State : Andhra Pradesh	Mandal : Allavaram				
District : East Godavari	Village : Tadikona				
R.S. No.	Hectares	Ares	Centi Ares	Acres	Cents
(1)	(2)	(3)	(4)	(5)	(6)
133/1A	0	09	0	0	22
133/1B	0	01	0	0	02
133/2A	0	06	5	0	16
133/2B	0	05	5	0	13
134/1P	0	04	5	0	11
130/1P	0	05	5	0	14
130/3P	0	05	0	0	12
128/1P	0	02	0	0	05
176/6	0	03	0	0	08
176/7	0	00	5	0	01
128/2P	0	04	5	0	11
149/2P	0	02	5	0	06
149/3P	0	03	0	0	07 1/2
149/4P	0	05	5	0	14
148/1AP	0	03	0	0	07
148/1BP	0	02	0	0	05
148/1C	0	04	0	0	10

(1)	(2)	(3)	(4)	(5)	(6)
147/3P	0	10	5	0	26
147/4P	0	01	0	0	02
176/4BP	0	06	5	0	16
178/1P	0	01	0	0	03
178/4AP	0	07	5	0	18
144/P	0	02	5	0	06
TOTAL :	0	95	0	2	35 1/2

[No. 12016/7/2009-ONGD-III]

R. S. SIKDAR, Under Secy.

नई दिल्ली, 24 अगस्त, 2009

का.आ. 2420.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि आंन्ध्र प्रदेश राज्य में आर.ओ.यू. पाइप लाइन एल.जी.डी.बी से जि.सि.एस. लिंगाला तक पेट्रोलियम के लिये पाइप लाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और अतः यह प्रतीत होता है कि ऐसी लाइनों के बिछाने के प्रयोजन के लिये एतदपाबद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब, पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है :

बास्ते कि उक्त भूमि में हिंतबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग राजामुन्द्रि एसट/के. जी.बेसिन, ओ.एन.जी.सी., गोदावरी भवन, राजामुन्द्रि, आंन्ध्र प्रदेश अधिसूचना की तारीक से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति यह भी कथन करेगा कि क्या यह वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से या किसी विधि व्यवसायी की मार्फत।

अनुसूची

आर.ओ.यू. पाइप लाइन: एल.जी.डी.बी से जि.सि.एस लिंगाला

राज्य : आंन्ध्र प्रदेश		मंडल : कैकालुरु			
जिले : कृष्णा		गांव : चिनाकामानापुडी			
आर.एस.नं.	हेक्टेएस	एस	सेन्टेएस		
(1)	(2)	(3)	(4)	(5)	(6)
5/IB1	0	05	5	0	13
5/IC	0	07	5	0	19
5/8P	0	02	0	0	05
6/IBP	0	02	0	0	05
4/BP	0	04	0	0	10
TOTAL	0	21	0	0	52

(1)	(2)	(3)	(4)	(5)	(6)
6/IBP	0	02	0	0	05
4/BP	0	04	0	0	10
जोड़	0	21	0	0	52

[सं. 12016/7/2009-ओएनजीडी-III]

आर.एस. सिकदर, अवर सचिव

New Delhi, the 24th August, 2009

S. O. 2420.—Whereas it appears to the Central Government of India that is necessary in public interest that for the transport of petroleum from "LGDB to LINGALA" in the A.P. state pipeline should be laid by the Oil & Natural Gas Corporation Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed here to :—

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein :

Any person interested in the said land may object within 21 days from the date of this notification, to laying the pipe line under the land to the Competent Authority Oil & Natural Gas Corporation Ltd, Rajahmundry Asset/K.G. Basin, Godavari Bhavan, Base complex, Rajahmundry, Andhra Pradesh.

SCHEDULE

Rou Pipeline from LGDB to LINGALA

State : Andhra Pradesh		Mandal : Kaikaluru			
District : Krishna		Village : Chinakamanapudi			
R.S. No.	Hectares	Ares	Centi ares	Acres	Cents
(1)	(2)	(3)	(4)	(5)	(6)
5/IB1	0	05	5	0	13
5/IC	0	07	5	0	19
5/8P	0	02	0	0	05
6/IBP	0	02	0	0	05
4/BP	0	04	0	0	10
TOTAL	0	21	0	0	52

[No. 12016/7/2009-ONGD-II]

R. S. SIKDAR, Under Secy.

नई दिल्ली, 4 सितम्बर, 2009

का.आ. 2421.—पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) के नियम 2 (क) के अन्तर्गत, मैसर्स रिलायंस गैस ट्रांसपोर्टेशन इन्फ्रास्ट्रक्चर लिमिटेड (आर.जी.टी.आई.एल.) के द्वारा कर्नाटक राज्य में प्राकृतिक गैस पाइपलाइन बिछाई जाने हेतु सक्षम प्राधिकारी के कार्यों का निर्वहन करने के लिए, भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की, भारत के राजपत्र दिनांक 03 दिसम्बर, 2005 को प्रकाशित, अधिसूचना का 0आ0 4520 दिनांक 29 अक्टूबर, 2005 द्वारा पदस्थापित, मैं, नागनाथ मलागी, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) नियमावली, 1963 के नियम 4 के उपनियम (1) के नीचे दी गई व्याख्या (1) के अन्तर्गत अधिकारों के अनुपालन में, मैसर्स आर.जी.टी.आई.एल., जिसमें यथास्थित, उस क्षेत्र में भूमि में उपयोग का अधिकार निहित किया गया है और उस क्षेत्र में पाइपलाइन का स्वामित्व निहित है, के परामर्श से, संलग्न अनुसूची के स्तम्भ 4 में कर्नाटक राज्य के बीदर ज़िले में यथा उल्लेखित प्राकृतिक गैस पाइपलाइन बिछाए जाने के प्रचालन की रामाप्ति की तारीखों की घोषणा करता हूँ।

अनुसूची

तहसील : बीदर		जिला : बीदर		राज्य : कर्नाटक
क. स.	ग्राम का नाम	धारा 6(1) की का.आ. संख्या एवं दिनांक		प्रचालन की समाप्ति की तारीख
1	2	3		4
1	होकरना खुर्द	1302 4336 788(अ) 1767(अ)	दिनांक 08-04-2005 दिनांक 10-11-2005 दिनांक 09-03-2009 दिनांक 15-07-2009	{ 22-07-2009
2	राजगीरा	1302 4336 788(अ) 1767(अ)	दिनांक 08-04-2005 दिनांक 10-11-2006 दिनांक 09-03-2009 दिनांक 15-07-2009	{ 22-07-2009
3	सिन्दोल	1302 4336 788(अ)	दिनांक 08-04-2005 दिनांक 10-11-2006 दिनांक 09-03-2009	{ 16-03-2009

1	2	3	4	
4	पातरपली	1302 4336 788(अ) 1767(अ)	दिनांक 08-04-2005 } दिनांक 10-11-2006 } दिनांक 09-03-2009 } दिनांक 15-07-2009 }	22-07-2009
5	सेखापुर	1302 788(अ)	दिनांक 08-04-2005 } दिनांक 09-03-2009 }	16-03-2009
6	बगदल	1302 4336 788(अ) 1767(अ)	दिनांक 08-04-2005 } दिनांक 10-11-2006 } दिनांक 09-03-2009 } दिनांक 15-07-2009 }	22-07-2009
7	निडवंचा	1302 4336 788(अ) 1767(अ)	दिनांक 08-04-2005 } दिनांक 10-11-2006 } दिनांक 09-03-2009 } दिनांक 15-07-2009 }	22-07-2009
8	बेंदलगी	1302 4336 788(अ) 1767(अ)	दिनांक 08-04-2005 } दिनांक 10-11-2006 } दिनांक 09-03-2009 } दिनांक 15-07-2009 }	22-07-2009
9	रेकुलगी	1302 4336 788(अ) 1767(अ)	दिनांक 08-04-2005 } दिनांक 10-11-2006 } दिनांक 09-03-2009 } दिनांक 15-07-2009 }	22-07-2009
10	होचकनली	1302 4336 788(अ) 1767(अ)	दिनांक 08-04-2005 } दिनांक 10-11-2006 } दिनांक 09-03-2009 } दिनांक 15-07-2009 }	22-07-2009
11	सीरकटनली	1302 4336 788(अ) 1767(अ)	दिनांक 08-04-2005 } दिनांक 10-11-2006 } दिनांक 09-03-2009 } दिनांक 15-07-2009 }	22-07-2009
12	रनजोल खेणी	1302 788(अ)	दिनांक 08-04-2005 } दिनांक 09-03-2009 }	16-03-2009
ताहसील : हुमनाबाद		जिला : बीदर	राज्य : कर्नाटक	
1	तालमडगी	1302 788(अ)	दिनांक 08-04-2005 } दिनांक 09-03-2009 }	16-03-2009
2	सीतलगेरे	1302 4336 788(अ) 1767(अ)	दिनांक 08-04-2005 } दिनांक 10-11-2006 } दिनांक 09-03-2009 } दिनांक 15-07-2009 }	22-07-2009

1	2	3	4
3	नीम्बुर	1302 दिनांक 08-04-2005 4336 दिनांक 10-11-2006 788(अ) दिनांक 09-03-2009 1767(अ) दिनांक 15-07-2009	22-07-2009
4	अल्लुर	1302 दिनांक 08-04-2005 788(अ) दिनांक 09-03-2009 1767(अ) दिनांक 15-07-2009	22-07-2009
5	मदरगाँव	1302 दिनांक 08-04-2005 4336 दिनांक 10-11-2006 788(अ) दिनांक 09-03-2009 1767(अ) दिनांक 15-07-2009	22-07-2009
6	मलकापुरवाडी	1302 दिनांक 08-04-2005 788(अ) दिनांक 09-03-2009 1767(अ) दिनांक 15-07-2009	22-07-2009
7	नन्दगाँव	1302 दिनांक 08-04-2005 4336 दिनांक 10-11-2006 788(अ) दिनांक 09-03-2009	16-03-2009
8	जलसिंगी	1302 दिनांक 08-04-2005 4336 दिनांक 10-11-2006 788(अ) दिनांक 09-03-2009 1767(अ) दिनांक 15-07-2009	22-07-2009
9	चीनकेरा	1302 दिनांक 08-04-2005 4336 दिनांक 10-11-2006 788(अ) दिनांक 09-03-2009 1767(अ) दिनांक 15-07-2009	22-07-2009
10	सेढोल	1302 दिनांक 08-04-2005 4336 दिनांक 10-11-2006 788(अ) दिनांक 09-03-2009 1767(अ) दिनांक 15-07-2009	22-07-2009
11	कनकटा	1302 दिनांक 08-04-2005 4336 दिनांक 10-11-2006 788(अ) दिनांक 09-03-2009 1767(अ) दिनांक 15-07-2009	22-07-2009
12	हुणसगेरा	1302 दिनांक 08-04-2005 4336 दिनांक 10-11-2006 788(अ) दिनांक 09-03-2009	16-03-2009

तहसील : बसवकल्याण	जिला : बीदर	राज्य : कर्नाटक	
1 राजोला	1302 4336 788(अ) 1767(अ)	दिनांक 08-04-2005 } दिनांक 10-11-2006 } दिनांक 09-03-2009 } दिनांक 15-07-2009 }	22-07-2009
2 किटा	1302 4336 788(अ) 1767(अ)	दिनांक 08-04-2005 } दिनांक 10-11-2006 } दिनांक 09-03-2009 } दिनांक 15-07-2009 }	22-07-2009
3 नरायनपुर	1302 4336 788(अ) 1767(अ)	दिनांक 08-04-2005 } दिनांक 10-11-2006 } दिनांक 09-03-2009 } दिनांक 15-07-2009 }	22-07-2009
4 यदलापुर	1302 788(अ) 1767(अ)	दिनांक 08-04-2005 } दिनांक 09-03-2009 } दिनांक 15-07-2009 }	22-07-2009
5 वेट बालकुँदा	1302 788(अ)	दिनांक 08-04-2005 } दिनांक 09-03-2009 }	16-03-2009
6 बसवकल्याण	1302 4336 788(अ)	दिनांक 08-04-2005 } दिनांक 10-11-2006 } दिनांक 09-03-2009 }	16-03-2009
7 प्रतापुर	1302 4336 788(अ) 1767(अ)	दिनांक 08-04-2005 } दिनांक 10-11-2006 } दिनांक 09-03-2009 } दिनांक 15-07-2009 }	22-07-2009

[फा. सं. एल- 14014/27/2009-जी.पी.
मनु श्रीवास्तव, निदेशक]

New Delhi, the 4th September, 2009

S.O. 2421.—In pursuance of powers conferred by Explanation 1 *in* sub-rule (1) of Rule 4 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Rules, 1963, I, Naganath Malagi, appointed by Government of India, Ministry of Petroleum & Natural Gas vide Notification S.O. 4520 dated 29th October, 2005 (published in the Gazette of India on 3rd December, 2005) under Section 2(a) of the Petroleum & Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) to perform the functions of Competent Authority for laying natural gas pipelines by M/s Reliance Gas Transportation Infrastructure Limited (RGTL) in the State of Karnataka, in consultation with M/s RGTL, to whom the Right of User in the land in that area has been vested and in whom the ownership of the pipeline in that area vests, hereby declare the dates, mentioned in Column 4 of the Schedule annexed herewith, as the dates of termination of RoU operation in District Bidar in the State of Karnataka.

Schedule

Tehsil : Bidar		District : Bidar		State : Karnataka	
Sl. No.	Village	S.O. No. and Date of Notification under sub-section (1) of Section 6			Date of Termination of Operation
1	2	3			4
1	Hokrana Khurd	1302	Date	08-04-2005	22-07-2009
		4336	Date	10-11-2006	
		788(E)	Date	09-03-2009	
		1767(E)	Date	15-07-2009	
2	Rajgira	1302	Date	08-04-2005	22-07-2009
		4336	Date	10-11-2006	
		788(E)	Date	09-03-2009	
		1767(E)	Date	15-07-2009	
3	Sindol	1302	Date	08-04-2005	16-03-2009
		4336	Date	10-11-2006	
		788(E)	Date	09-03-2009	
4	Patharapalli	1302	Date	08-04-2005	22-07-2009
		4336	Date	10-11-2006	
		788(E)	Date	09-03-2009	
		1767(E)	Date	15-07-2009	
5	Shekapur	1302	Date	08-04-2005	16-03-2009
		788(E)	Date	09-03-2009	
6	Bagdal	1302	Date	08-04-2005	22-07-2009
		4336	Date	10-11-2006	
		788(E)	Date	09-03-2009	
		1767(E)	Date	15-07-2009	
7	Niduvancha	1302	Date	08-04-2005	22-07-2009
		4336	Date	10-11-2006	
		788(E)	Date	09-03-2009	
		1767(E)	Date	15-07-2009	
8	Bembalgi	1302	Date	08-04-2005	22-07-2009
		4336	Date	10-11-2006	
		788(E)	Date	09-03-2009	
		1767(E)	Date	15-07-2009	
9	Rekulgi	1302	Date	08-04-2005	22-07-2009
		4336	Date	10-11-2006	
		788(E)	Date	09-03-2009	
		1767(E)	Date	15-07-2009	

1	2	3	4
10	Hochakanalli	1302 Date 08-04-2005 4336 Date 10-11-2006 788(E) Date 09-03-2009 1767(E) Date 15-07-2009	22-07-2009
11	Sirkatnalli	1302 Date 08-04-2005 4336 Date 10-11-2006 788(E) Date 09-03-2009 1767(E) Date 15-07-2009	22-07-2009
12	Ranjol Kheni	1302 Date 08-04-2005 788(E) Date 09-03-2009	16-03-2009
Tehsil : Humnabad		District : Bidar	State : Karnataka
1	Talmadagi	1302 Date 08-04-2005 788(E) Date 09-03-2009	16-03-2009
2	Sitalgere	1302 Date 08-04-2005 4336 Date 10-11-2006 788(E) Date 09-03-2009 1767(E) Date 15-07-2009	22-07-2009
3	Nimbur	1302 Date 08-04-2005 4336 Date 10-11-2006 788(E) Date 09-03-2009 1767(E) Date 15-07-2009	22-07-2009
4	Allur	1302 Date 08-04-2005 788(E) Date 09-03-2009 1767(E) Date 15-07-2009	22-07-2009
5	Madargaon	1302 Date 08-04-2005 4336 Date 10-11-2006 788(E) Date 09-03-2009 1767(E) Date 15-07-2009	22-07-2009
6	Malkapurwadi	1302 Date 08-04-2005 788(E) Date 09-03-2009 1767(E) Date 15-07-2009	22-07-2009
7	Nandgaon	1302 Date 08-04-2005 4336 Date 10-11-2006 788(E) Date 09-03-2009	16-03-2009
8	Jalasingi	1302 Date 08-04-2005 4336 Date 10-11-2006 788(E) Date 09-03-2009 1767(E) Date 15-07-2009	22-07-2009

1	2	3	4		
9	Chinkera	1302 4336 788(E) 1767(E)	Date Date Date Date	08-04-2005 10-11-2006 09-03-2009 15-07-2009	22-07-2009
10	Sedol	1302 4336 788(E) 1767(E)	Date Date Date Date	08-04-2005 10-11-2006 09-03-2009 15-07-2009	22-07-2009
11	Kankatta	1302 4336 788(E) 1767(E)	Date Date Date Date	08-04-2005 10-11-2006 09-03-2009 15-07-2009	22-07-2009
12	Hunsgera	1302 4336 788(E)	Date Date Date	08-04-2005 10-11-2006 09-03-2009	16-03-2009

Tehsil : Basavkalyan		District : Bidar		State : Karnataka	
1	Rajola	1302 4336 788(E) 1767(E)	Date Date Date Date	08-04-2005 10-11-2006 09-03-2009 15-07-2009	22-07-2009
2	Kitta	1302 4336 788(E) 1767(E)	Date Date Date Date	08-04-2005 10-11-2006 09-03-2009 15-07-2009	22-07-2009
3	Narayanpur	1302 4336 788(E) 1767(E)	Date Date Date Date	08-04-2005 10-11-2006 09-03-2009 15-07-2009	22-07-2009
4	Yadiapur	1302 788(E) 1767(E)	Date Date Date	08-04-2005 09-03-2009 15-07-2009	22-07-2009
5	Bet Balkunda	1302 788(E)	Date Date	08-04-2005 09-03-2009	16-03-2009
6	Basavkalyan	1302 4336 788(E)	Date Date Date	08-04-2005 10-11-2006 09-03-2009	16-03-2009
7	Pratapur	1302 4336 788(E) 1767(E)	Date Date Date Date	08-04-2005 10-11-2006 09-03-2009 15-07-2009	22-07-2009

श्रम एवं रोजगार मंत्रालय

नई दिल्ली, 6 अगस्त, 2009

का.आ. 2422.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार साक्षरदर्न रेलवे के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, चेन्नई के पंचाट (संदर्भ संख्या 1/2008) को प्रकाशित करती है, जो केन्द्रीय सरकार को 6-8-2009 को प्राप्त हुआ था।

[सं. एल-41011/29/2007-आईआर(बी-1)]

अजय कुमार, डेस्क अधिकारी

MINISTRY OF LABOUR AND EMPLOYMENT

New Delhi, the 6th August, 2009

S.O. 2422.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.1/2008) of the Central Government Industrial Tribunal-cum-Labour Court, Chennai as shown in the Annexure in the Industrial Dispute between the management of Southern Railway and their workmen, which was received by the Central Government on 6-8-2009.

[No. L-41011/29/2007-IR (B-I)]

AJAY KUMAR, Desk Officer

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
CHENNAI**

Friday, the 31st July, 2009

Present : Shri A. N. Janardanan, Presiding Officer
Industrial Dispute No. 1/2008

(In the matter of the dispute for adjudication under clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), between the Management of Southern Railway, Madurai Division and their Workmen)

BETWEEN

The Secretary,
All India Loco Running Staff Association,
Madurai 1st Party/Petitioner Union
Vs.

1. The Divisional Railway Manager,
Southern Railway,
Madurai-625016 1st Respondent

2. The Sr. Divisional Mechanical Engineer,
Southern Railway.
Madurai Division
Madurai -625016 2nd Respondent

3. The Divisional Personnel Officer,
Southern Railway,
Madurai Division
Madurai -625016 3rd Respondent

4. The Senior Section Engineer (Loco),
Southern Railway,
Madurai Division
Madurai -625016

4th Respondent

APPEARANCES

For the Petitioner Union : M/s. Ratio Legis

For the Management : M/s. P. Arulmudi and Co.

AWARD

The Central Government, Ministry of Labour vide its Order No.L-41011/29/2007-IR (B-I) dated 1-1-2008 referred the following Industrial Dispute to this Tribunal for adjudication.

The Schedule mentioned in that order is:

“Whether the action of the Railway administration of Madurai Division in not allowing the officiating allowance and fixing the pay to the workmen who have performed the duties in higher post is justified or not in accordance with Rule-913 of Indian Railway Establishment Manual (IREM)? If not, what relief the workmen are entitled to? Whether the action of the Railway administration of Madurai Division in not allowing 30% of Kilometre allowance to Assistant Loco Pilots in accordance with Rule-913 (i) of Indian Railway Establishment Manual (IREM) is justified or not? If not what relief the Asstt. Loco Pilots are entitled to? Whether the action of the Railway administration of Madurai Division in not calculating of Dearness Allowance in accordance with Railway Running Allowance Rules, 1981 is justified or not? If not, what relief the workman are entitled to?”

2. After the receipt of Industrial Dispute, this Tribunal has numbered it as ID 1/2008 and issued notices to both sides. Both sides entered appearance through their advocates and filed their Claim Statement and Counter Statement as the case may be.

3. Precisely the case of the petitioner is as follows:

Some members of the petitioner union whose services were utilized to officiate in second higher grade posts and entitled to officiating allowance of their earned kilometrage allowance enhanced by only 15% for every such higher grade (amounting 30% of the earned kilometrage allowance were allowed only 15% as against 30% in violation of the relevant rules and in unlawful denial of wages in terms of Rule-913(1)(a) of Indian Railway Establishment Manual (IREM), Vol.-1 which amounts to unlawful wage reduction under Payment of Wages Act attracting Section-33(C)(2). The running staff members are entitled to Dearness Allowance. Compensatory value for the eroded value of the wages/pay sanctioned from time to time, calculated by adding a value equivalent of 30% of their basic pay being the pay element in their Running Allowance in terms of Rule-904 and Rule-924(1)(i) of IREM and Rule-25 of the Running Allowance Rules, 1981 in

percentage and paid to them. While from 1-4-2004 when the 50% of the Dearness Allowance was merged as pay/dearness pay for all purposes, dearness allowance for the same was not calculated by adding 30% of the value to it as laid down in Rules 904 and 924 of IREM, Vol. 1 and Rule-25 of Running Allowance Rules, 1981 in unlawful denial of wages under the Payment of Wages Act attracting Section-33(C)(2) of I.D. Act, 1947. It is prayed that the non-compliance of the rules be considered and appropriate orders be passed.

4. In the Counter Statement filed by the Respondent, the contentions raised are briefly as follows:

Rule-14, Sub-Rule(i)(b) of Running Allowance Rules, 1981 under which the fixation of pay is claimed should be read with Railway Board's instructions regarding norms for promotion to the post of Goods Driver from the specific feeder categories of staff. Under Railway Board's letter No.E(NG)/1-96/PM4/14 dt. 17-4-1997 service rendered in the old unit will not be considered for promotion in the new unit in the case of employees transferred from a unit to the other. To the eligible member employees, the officiating pay has been claimed as could be seen from the remarks furnished by R3 to Assistant Commissioner of Labour (Central). The claim is contrary to the Railway Board's letter which has not been challenged in vires or to its effect. The Railway Board's letters dated 1-5-1996 and 17-4-1997 are totally disregarded for the claim. Para-913 should be read with Railway Board's instructions. The claim contrary to executive instructions cannot be sustained. Officiating allowances have been allowed as per the rule and the claim for 30% enhancement instead of 15% is not tenable in view of Rule-913(i)(a) which permits only enhancement of kilometreage allowance by 15% only. Monetary computation made by the petitioner is incorrect and no arrears are due to the employees. The petitioner is giving a different connotation to Paras 903 and 904 of IREM and Rule-24 of Running Allowance Rules of 1981. 30% of the Basic Pay should be treated to be pay for reckoning various benefits including Dearness Allowance. The Railway Board have advised the method of calculation to be followed regarding emoluments of running staff consequent on the merger of 50% of Dearness Allowance with existing pay w.e.f. 1-4-2004 shown as Dearness Pay which is to be counted as pay for all purposes. The claim of the petitioner under a different interpretation that employees should be paid Dearness Allowance stating that 30% of Dearness Pay should be considered for calculation of Dearness Allowance is not correct. Under Paras 903 and 904 of IREM, 30% of Basic Pay alone shall be treated to be pay representing the pay element in the Running Allowance. 30% of Basic Pay is taken into account for the purpose of arriving at Dearness Pay. 30% of Basic Pay is also treated as pay for Dearness Allowance. The claim to treat 30% of Dearness Pay for calculation of Dearness Allowance is not sustainable in the absence of a supporting rule. As per

Para-903 of IREM, 30% pay element would fall under Clause (iii) of 1303-FR-9 21(a)-emoluments specifically classed as pay by the President. Dearness Pay has not been classed as pay by the President under the above clause. With the merger of Dearness Allowance equal to 50% of the existing pay with Basic Pay under Government Policy decision in view of recommendation of 5th Central Pay Commission, there is no change in the IREM provision to the effect that 30% of Basic Pay in the case of running staff should be treated to be in the nature of pay for specific benefits. In the absence of provision that 30% of Dearness Pay also should be taken into account for computation of various benefits, the claim leads to undue and unintended benefit not supported by rule and the claim is under a wrong interpretation of IREM. The Petitioner cannot agitate without a pre-existing right. Granting of allowances is to be examined by an expert body. Policy decision not infringing legal right cannot be questioned. Hence the prayer is only to be dismissed.

5. Points for consideration are:

- (i) Whether denial of officiating allowance and fixing the pay of the workman performing duties in higher post by Railway is justified or not in accordance with Rule-913 of IREM?
- (ii) Whether disallowing 30% of kilometreage allowance to Assistant Loco Pilots in accordance with Rule-913(i)(a) of IREM is justified or not?
- (iii) Whether non-calculating of Dearness Allowance in accordance with Running Railway Allowance Rules, 1981 is justified or not?
- (iv) To what reliefs the concerned workmen are entitled?

Point No. 2

6. On the side of the petitioner WWI was examined. On the side of the Respondent MWI was examined and Ex.1 to Ex.M5 were marked. During the arguments the learned counsel for the petitioner fairly conceded in the written arguments submitted that in the matter of the claim under 2nd part of the reference i.e. regarding disallowing 30% of kilometreage allowance to Asstt. Loco Pilots in accordance with Rule-913(i)(a) of IREM that in the case of Asstt. Loco Pilots for whom claim is made herein the officiating period exceeded 30 days, and hence the reference has become infructuous. It is for the reason that under Rule-914 of Running Allowance Rules, 1981 which corresponds to Rule-913 of IREM, Volume-1 (1989 edition) when running staff members are put to officiate in a running post for 30 days or less only they shall be entitled to the officiating allowance and when it is for more than 30 days, their pay is fixed in the higher grade under the normal rules. In the present case, as conceded by the learned counsel for the petitioner, the officiating period of all the

Assistant Loco Pilots admittedly exceeded 30 days and, therefore, they are not entitled to the officiating allowance but are entitled to have pay the fixed in the higher grade under the normal rules. Therefore the action of the Railway is only to be found justified and the workmen under this category are not entitled to the relief.

Point No. 1

7. It is argued on behalf of the petitioner that since as admitted by MW1 the services of the petitioners were utilized in exigencies of service and the fact that they actually officiated in substantive higher posts on ad-hoc promotion they are entitled to presumptive pay in terms of Rule-1313(i)(a)(i) of the IRE Code Rule-103(39) and Rule-1306 of the IRE Code apart from the benefits available to running staffs officiating as laid down in Para-913 of IREM. Their further contention is that causing vacancies of substantive higher posts to exist violating the mandatory provisions and there after employing petitioners-feeder category personnel on ad-hoc promotion or as officiating they should have actually been paid their pay in the higher post in accordance with the mandate of the relevant rules. MW1 has made it clear that possession of LM-16 is not a condition for officiating whereas the same is a condition precedent for actual promotion. As against this, the learned counsel for the Respondent contended that in order to become eligible for promotion as Goods Driver, he should pass LM-16 promotional course apart from satisfying the conditions (a) that 6 years service (combined as Second Fireman and First Fireman/Diesel Asstt./Electrical Asstt. in the existing unit (b) 2 years as First/Fireman/Diesel Asstt./Electrical Asstt. and (c) 60,000 Kms. experience of foot-plate in the above categories as laid down Railway Board letter No.E(NG)1-PM7/16(Pt.1) dated 1-5-1996. It is further pointed out that Sub-Rule 1(b) of Rule-14 of Running Allowance Rules, 1981 does not stand in isolation and it should be read in harmony with Railway Board's instructions regarding norms for promotion. To the eligible promotees who have completed 6 years, officiating pay has been claimed actually. Same is the case with those who have completed 6 years combined service and also 2 years service in the lower grade and foot-plate experience of 60,000 Kms. The Railway Board's letter providing as above remains intact being unchallenged. It has been further pointed out that Supreme Court has held unless vires of a rule is challenged its effect cannot be challenged before the Court of Law. It is overwhelmingly brought home that denial of officiating allowance and fixation of pay is a stand which is extremely illogical, irrational, unjust apart from unethical too. There is conspicuous absence of pragmatic wisdom in the said approach. When owing to exigencies of service, it becomes inevitably a dire need to make one officiate or be given an ad-hoc promotion to higher post to perform essential duties or services a negation of benefits incidental to or accruing out of such service is unreasonable, against natural justice,

arbitrary or even perverse. It does not sound ideal to maintain the view that the workmen not possessing the required qualifications or not satisfying a given set of conditions may still be employed to do a certain duty or service on a higher grade post owing to exigency of service or inevitability of such a service having to be maintained which is of an onerous nature or responsibility it is alien to comprehension why such persons shall not be conferred the benefits incidental to such employment? Why during a period of ad-hoc promotion or officiating to a higher post, the duty of which they are competent to perform, they should be denied the officiating allowance or fixation of pay? While the ordeal of a more serious duty is cast upon them, it seems quite unfair to deny to them the corresponding benefits to which but for lack of prescribed qualifications they would have been entitled on par with their counterpart workmen possessing such qualifications. It was for the reason of the employees being not actually eligible under rule for the promotion the fixation of pay was declined to them. That when it is denied due to the effect of the rule to the detriment of the employees and that unless the vires of the same is challenged that adverse effect could not be got rid of could no longer be a good proposition. It could be visualized that on a close examination of the situation that what the relevant rules or the executive instructions really forbid is a promotion in the sense of substantive nature when the workmen are found not to possess the requisite qualifications prescribed or not to satisfy the given conditions. They could still be allowed to officiate or given ad-hoc promotion, pure and simple. While so engaged they are to be given the benefits accruing out of or incidental to such engagement. Unhesitatingly or emphatically it is to be held that denial of officiating allowance or fixing of pay of the workmen performing duties in the higher post is not all justified.

Point No. 3

8. On this aspect the argument on behalf of the petitioner is that Dearness Pay being portion of Dearness Allowance decided by the Government to be treated as Dearness Pay, the same shall be reckoned as pay for such purposes as are specified by the Government from time to time and for no other purposes vide Rule-1417 of the Establishment Code and Railway Board's letter No. PC-V/2004/A/DA/1 dated 11-3-2004. It is also contended that in the wake of letter No. PC-V/2004/A/DA/1 dated 21-12-2004 stipulating for adding 25% of Basic Pay called as NPA (Non-Practising Allowance) to calculate Dearness Pay as well as add 25% of Basic Pay + Dearness Pay to calculate Dearness Allowance, denying similar treatment to the Running Staff is discriminatory. As against this, the contention of the Respondent is that as per the instructions of the Railway Board under letter No. E(P&A)11-2004/RS-13 dated 30-6-2004 and conforming to Para-903 of IREM, only 30% of Basic Pay is to be pay element in the Running Allowance for arriving at Dearness Pay and for

calculation of Dearness Allowance. Claim for calculation of 30% of Dearness Pay for Dearness Allowance is not with any support of a rule. Under clause (Clause-III) of Rule-1303-FR-9-21(a) i.e. "emoluments which are specially classed as pay by the President only Basic pay alone classed as pay and not Dearness Pay." Merger of Dearness Allowance is also policy decision of the Government. There is no specific provision in the manual to treat 30% of Dearness Pay computation of various benefits to the Running Staffs.

9. The above arguments on behalf the Respondent also do not seem sound and reasonable. The contention of the petitioner is that there is unlawful denial of wages when the pay element viz. 30% of Basic Pay is not reckoned for calculation of Dearness Allowance. The pay element being 30% of Basic Pay should be treated as Pay for reckoning various benefits including Dearness Allowance. That there is no specific order or rule to that score is the shield of argument wielded by the Respondent. It is argued that pay element would fall under emoluments classed as Pay by President and that Dearness Pay has not been so classed as pay by the President. It is under Government decision in the wake of 5th Central Pay commission Report that the merger of Dearness Allowance equal to 50% of existing pay with Basic Pay emerged. It is in the absence of a corresponding change in the IREM provision to the effect that 30% of Basic Pay in the case of Running Staff should be treated to be in the nature of pay for specific benefits that the Respondent opposes the claim of the petitioner. Whatever be the arguments against the treatment of pay element also as pay for calculation of Dearness Allowance one thing is certain that unless that part of pay is also reckoned for calculation of Dearness Allowance there would be unlawful erosion of wage resulting in wage reduction to the peril of workmen which mischief being only latent then would not have been thought of for being avoided due to lack of the required advertence, diligence and caution so as to be an omission not deliberate. Had it been properly adverted to such an omission could not have happened. Logically, it could not be conceived as a well thought out decision avoiding all infirmities or those possible to be attached to it. So viewed inadvertent non-mention or the occasioned omission to include it as pay for the purpose of calculation of Dearness Allowance cannot be characterized as the absence of an existing right which as argued by the Respondent cannot be agitated. It being honest, which contention is not sustainable. The argument that the claim is undue or is an unintended right also has to be understood as fallacious. It cannot be straightaway said that the said benefit was not intended at all. The only thing is that such a benefit had not been adverted to. Normally a Dearness Pay is to be treated as pay for all purpose. There is no reason why there should be a departure from the normal rule. Logical reasoning and transition of thought in the right sequence cannot but approve the said proposition. There is no question of granting an allowance,

say, a new one on the resolute of anybody. Apparently, the merger of Dearness Allowance equal to 50% of existing pay with Basic Pay being later concept, the question of Dearness Pay being considered and relevant provisions being enacted touching it wherever necessary would not have been on the alert and thereby consequently entailed in making no relevant provisions as to that is only natural. That could possibly be the reason for various rules or executive directions having been conspicuously absent on the aspect. They are apt to be only omissions. Such innocent omissions are not to be read as creating as a vacuum with uncertainties or ambiguities. It is also good remembering that statutory rules cannot be fettered by any executive orders.

10. The above bottom line consideration take me to the irresistible conclusion that non-calculation of Dearness Allowance in accordance with Running Allowance Rules, 1981 is not justified and it is found so.

Point No. 4

11. In the light of above findings on Points 1 to 3, it is held that disallowing officiating allowance and fixing of pay of the workmen performing duties in higher posts is not justified; the workmen are therefore entitled to officiating allowance and fixation of pay for performing duties on higher posts .

12. That disallowing 30% of kilometreage allowance to Asstt. Loco pilots in accordance with Rule- 913 (i)(a) of IREM is justified but they are entitled to have pay fixed in the higher grade under the normal rules; and that

13. Non-calculating of Dearness Allowance in accordance with Running Allowance Rules, 1981 is not justified; and that

14. The workmen are entitled to Dearness Allowance in accordance with Running Allowance Rules, 1981.

15. Thus the reference is answered as above.

(Dictated to the P.A., transcribed and typed by him, corrected and pronounced by me in the open court on this day the 31st July, 2009)

A. N. JANARDANAN, Presiding Officer

Witnesses Examined:-

For the I Party/Petitioner : WWI Sri N. Narayanan

For the II Party/Management :

MW1 Sri T. Sankaran

Documents Marked

On the Petitioner's side

Ex.No.	Date	Description
		Nil

On the Management's side

Ex. No.	Date	Description
Ex. M1	1-5-1996	Railway Board's Letter No. E(NG)-PM7/16/Pt.1 dated 1-5-1996
Ex. M2	17-4-1997	Railway Board's Letter No. E(NG)-96/PM4/14 dated 17-4-1997
Ex. M3	30-6-2004	Railway Board's Letter No. E (P&A)II-2004/RS-13 dated 30-6-2004
Ex. M4	24-4-2007	Railway Board's Letter No. E (P&A)II-2006/RS-28 dated 24-4-2007
Ex. M5	9-4-2009	Proof Affidavit filed on behalf of Respondents.

नई दिल्ली, 10 अगस्त, 2009

का.आ. 2423.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार युनाइटेड बैंक ऑफ इण्डिया के प्रबंधतंत्र के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय आसनसोल के पंचाट (संदर्भ संख्या 26/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 7-8-2009 को प्राप्त हुआ था।

[सं. एल-22011/5/2004-आईआर (बी-II)]
राजेन्द्र कुमार, डेस्क अधिकारी

New Delhi, the 10th August, 2009

S.O. 2423.—In Pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.26/2004) of the Central Government Industrial Tribunal Asansol now as shown in the Annexure in the Industrial Dispute between the employees in relation to the management of United Bank of India and their workman, which was received by the Central Government on 7-8-2009.

[No. L-22011/5/2004-IR (B-II)]
RAJINDER KUMAR, Desk Officer

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT
ASANSOL**

Present : Sri Manoranjan Pattnaik, Presiding Officer
Reference No. 26 of 2004

Parties :

Management of United Bank of India Burdwan
Vrs.
Their Workman

REPRESENTATIVES

For the management : None
For the Union (Workman): None
Industry : Bank State : West Bengal
Dated the 28-5-2009

AWARD

In exercise of powers conferred by clause (d) of Sub-section (1) and Sub-section 2 (A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), Government of India through the Ministry of Labour vide its letter No. L-22011/5/2004-IR (B-II) dated 3-6-2004 has been pleased to refer the following dispute for adjudication by this Tribunal.

SCHEDULE

“Whether the selection of computer operators including modification of the panel by the management of United Bank of India, Burdwan, Regional Office ignoring interse seniority of the workman who qualified the aptitude test and attended interview is legal and justified? If not, what relief the workman are entitled and from which date? Can the Station Area of consideration (viz Burdwan Municipal Area, Durgapur Project Area etc.) be changed after completion of training aptitude test, interview for the post of computer operators? If years, what should be the criteria for such change?”

On receipt of the Order No. L-22011/5/2004-IR (B-II) dated 3-6-2004 of the above mentioned reference from the Government of India, Ministry of Labour, New Delhi for adjudication of the dispute, a reference case No. 26 of 2004 was registered on 14-6-2004 and accordingly an order to that effect was passed to issue notices through the registered post to the parties concerned directing them to appear in the court on the date fixed and to file their written statements along with the relevant documents and a list of witnesses in support of their claims. In pursuance of the said order notices by the registered post were sent to the parties concerned.

3. Both the parties remained at variance for some time heard on the above issue. However, before laying down their respective evidence both the parties gave out in writing to the effect that consequent upon the promotion of the concern workman i.e. Shamita Das to the grade of officer, the issue was resolved. On perusal of case record, the petition dated 22-11-2008 and that of the letter of the President of the United Bank of India Employees Congress dated 20-4-2009 it becomes clear that consequent up the promotion of Shamita Das and another three to the officer grade no dispute virtually exists and formal adjudication on the above scheduled issue becomes inconsequential. Accordingly an award of ‘no dispute’ is passed and the matter is disposed of accordingly. Hence ordered.

ORDER

Let an award be and same is passed an indicated above. Copy of the award be sent to the Ministry of Labour and Employment, Government of India, New Delhi.

MANORANJAN PATTNAIK, Presiding Officer

नई दिल्ली, 10 अगस्त, 2009

का.आ. 2424.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बैंक ऑफ बड़ौदा के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं.1, धनबाद के पंचाट (संदर्भ संख्या 257/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 7-8-2009 को प्राप्त हुआ था।

[सं. एल-12011/62/2000-आईआर (बी-11)]
राजेन्द्र कुमार, डेस्क अधिकारी

New Delhi, the 10th August, 2009

S.O. 2424.—In Pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 257/2000) of the Central Government Industrial Tribunal-cum-Labour Court, No.1, Dhanbad now as shown in the Annexure in the Industrial Dispute between the employees in relation to the management of Bank of Baroda and their workman, which was received by the Central Government on 7-8-2009.

[No. L-12011/62/2000-IR (B-II)]

RAJINDER KUMAR, Desk Officer

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL (NO.1), DHANBAD**

In the matter of a reference under Section 10(1)(d)(2A) of the Industrial Disputes Act, 1947.

Reference No. 257/2007

Parties :

Employers in relation to the management of Bank of Baroda,
And

Their workman

Present : Shri Hari Mangal Singh, Presiding Officer

APPEARANCES

For the Management : Sri N. Ramakrishna, Sr. Manager
(HRM)

For the Union : None

State : Jharkhand Industry : Bank

Dated : 30-6-2009

AWARD

By order No. L-12011/62/2000-IR (B-II) dated 11-9-2000 the Central Government in the Ministry of Labour has in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :—

SCHEDULE

“Whether the action of the management of Bank of Baroda in replacement of advance ledger posting machines by computers and posting ALPM operators to work on these computers without upgrading these ALPM operators and payment of special allowance is justified? If not, what relief the union is entitled to?”

It appears from the record that this case is pending since 25-9-2000 for filing of written statement by the workman. In spite of notice sent to the sponsoring union by speed post, neither representative nor workman has turned up. It means that workman is not interested to contest the case further more.

In view of such circumstance, I pass a NO DISPUTE Award in present Reference case.

H. M. SINGH, Presiding Officer

नई दिल्ली, 10 अगस्त, 2009

का.आ. 2425.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सेंट्रल बैंक ऑफ इण्डिया के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं. 2, मुम्बई के पंचाट (संदर्भ संख्या 22/5/2007 एवं 2/25/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 7-8-2009 को प्राप्त हुआ था।

[सं. एल-12025/1/2009-आईआर (बी-II)]

राजेन्द्र कुमार, डेस्क अधिकारी

New Delhi, the 10th August, 2009

S.O. 2425.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 2/5 of 2007 & 2/25 of 2006) of the Central Government Industrial Tribunal-cum-Labour Court, No.2, Mumbai now as shown in the Annexure in the Industrial Dispute between the employees in relation to the management of Central Bank of India and their workman, which was received by the Central Government on 7-8-2009.

[No. L-12025/1/2009-IR (B-II)]

RAJINDER KUMAR, Desk Officer

ANNEXURE**Ex-4****BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL NO. 2, MUMBAI**

Present : Shri A. A. LAD, Presiding Officer

Complaint No. CGIT-2/5 of 2007

in

Reference No. CGIT-2/25 of 2006**Parties :**

Shri V. Iayydurai Pushparaj,
Room No. 10,
Rajabali Chawl No.14,
Dharavi,
Mumbai-400 017.

...Complainant

Versus

The Dy. General Manager (HRD),
Central Bank of India,
Central Office,
Chandermukhi,
Nariman Point,
Mumbai-400 021

...Opponent

APPEARANCES

For the Complainant : In person.

For the Opponent : Mr. L. L. D' Souza
Representative

Mumbai, dated the 29th September, 2008

AWARD

1. Complainant has filed this complaint under Section 33-A of the Industrial Disputes Act requesting to hold and declare Opponent has deliberately and willfully contravened the provisions of Section 33-A of Industrial Disputes Act regarding transaction mentioned in paragraph 5 of the complaint.

2. Said was disputed by Opponent by filing reply Ex-3 and matter was posted for recording evidence of the parties.

3. However by Ex-4 both parties arrived at settlement before Lok-Adalat conducted at Mumbai. Hence the order

ORDER

In view of Ex-4, complaint is disposed of as per purshis given in LokAdalat.

Date : 29-9-2008

A. A. LAD, Presiding Officer

**PROCEEDINGS OF THE LOK ADALAT HELD AT
MUMBAI ON 29-9-2008****Panel Members**

- (1) Shri M. B. Anchan, Advocate
- (2) Shri S. V. Alva, Advocate
- (3) Shri A. M. Koyande, Advocate
- (4) Ms. Vibhuti Borhade, Advocate

COMP. CGIT-2/5 of 2007

Shri V. Pushparaj

V/s.

Central Bank of India

The Panel is informed that the Complaint CGIT- 2/5 of 2007 is withdrawn as the Bank has allowed him to resume duties. He has no claim in this complaint.

Matter fixed before Hon'ble Court for orders.

Sd/-

Sd/-

Sd/-

Sd/-

(Panel Members)

Sd/-

(Mr.Ghanekar)

Representative for Bank

Sd/-

(V.I. Pushparaj)

Complainant

Sd/-

(Adv. Ganesh)

For Bank

Seen

Sd/-

(Presiding Officer)

CGIT-2, Mumbai

29-9-2008

नई दिल्ली, 10 अगस्त, 2009

का.आ. 2426.-औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एल.आई.सी के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक

अधिकरण/श्रम न्यायालय नं. 1, धनबाद के पंचाट (संदर्भ संख्या 100/1997) को प्रकाशित करती है, जो केन्द्रीय सरकार को 7-8-2009 को प्राप्त हुआ था।

[सं. एल-17012/47/96-आईआर (बी-II)]
राजेन्द्र कुमार, डेस्क अधिकारी

New Delhi, the 10th August, 2009

S.O. 2426.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 100/97) of the Central Government Industrial Tribunal-cum-Labour Court No. 1, Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of L.I.C of India and their workman, which was received by the Central Government on 7-8-2009.

[No. L-17012/47/96-IR(B-II)]

RAJINDER KUMAR, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. I, DHANBAD

In the matter of a reference U/s. 10(1)(d) of I.D. Act, 1947

Reference No. 100 of 1997

Parties : Employers in relation to the management of Life Insurance Corporation of India.

AND

Their Workmen.

Present : Shri H. M. Singh, Presiding Officer.

APPEARANCES

For the Employers : Shri M. A. Khan, Advocate

For the Workman : Shri S. Paul, Advocate

State : Jharkhand.

Industry : Insurance.

Dated, the 22nd June, 2009

AWARD

By Order No. L-17012/47/96-IR (B-II) dated 23-4-97 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

“Whether the action of the Senior Branch Manager, LIC of India, Branch-I, Sector-IV, Bokaro Steel City, P.O. Sector-IV, Dist. Bokaro in terminating the services of Subhakant Pathak w.e.f. 7-9-94 is justified? If not, to what relief is the concerned workman entitled to?”

2. The concerned workman has filed written statement stating that he was appointed in L.I.C. Branch-I, Sector -IV Bokaro Steel City as a Class-IV worker on and from 26-11-1990 and since then he had been working as a Peon under the management of L.I.C continuously without any break upto 10-9-94 for about

3 years, during which he has rendered more than 240 days' service in each of the calendar years. The concerned workman has been paid his wages every month initially @ Rs. 750 per month calculated @ Rs. 25 per day. The relationship of master and servant between L.I.C. of India and the concerned workman exists because the concerned workman had rendered his services, the benefit of which has been received by the management of L.I.C. of India. In lieu of the services rendered by the concerned workman, he has received remuneration from the L.I.C. of India which satisfies the criteria for master and servant relationship. He had been working as a Peon and the nature of work performed by him was permanent. He had worked regularly for all those years. There was no substitute for him even for a single day. The concerned workman had no permission to leave the place of his work without applying for leave, which he could avail only when duly granted by a competent officer of the L.I.C. of India, Bokaro Branch-I. During April and May, 1995 the concerned workman had applied for leave which was granted by Sri S.P. Pandey, A.O. Bokaro L.I.C. of India Branch-I. A daily wager or a day labourer is never required to apply for leave, nor he enjoys the leave benefit. The management of L.I.C. is a Government of India Undertaking having its service rules and regulations wherein there is no provision for appointment of a 'coolie' for a long period of four years to complete the alleged extra work. The concerned workman was never appointed as a coolie nor he worked as a coolie. The management of L.I.C. as a model employer of the Government is expected to maintain a fairness in the relationship with its workers, as such, the concerned workman shall be deemed to have been regularised and he cannot be thrown of his employment in an arbitrary and whimsical manner. The management had waived the written test and oral interview and allowed him to work for more than three years thereafter suddenly from 7-9-94 he was prevented from marking his attendance, but he continued to perform his job. The management had acted mafidely and in violation of the principles of natural justice by terminating the service of the concerned workman. The management has committed a gross illegality and an unfair labour practice by deputing another person in the same place for the same job, by depriving the concerned workman. It has been prayed that the Hon'ble Tribunal be pleased to pass an award in favour of the concerned workman.

3. The written statement has been filed by the management stating that the reference is not legally maintainable. There exists no employer-employee relationship between the management and the concerned person. The reference is invalid for the reasons that no demand was ever made to the management.

It has been submitted that the method of recruitment, the conditions of service, the scale of pay and conduct rules regulating the service conditions are governed by the statutes laid down therein. There is an

inordinate long delay in approaching for the same without any explanation muchless satisfactory explanation and the same is overstate one.

The written statement filed by the workman is full of misleading averments to extract undue concession. In the present case there is factual difference. The management has its own regular employees and the work through some persons is take casually whenever required. There is no merit in the above reference matter and no relief can be granted in this case. Sri S. K. Pathak was never appointed as a regular one farless against permanent post as Class-IV on and from 20-11-90, but was engaged as a coolie i.e. as a daily labourer to meet the exigency of extra work load for a certain period on contract basis and on completion of the same his engagement came to an end. He was paid remuneration as agreed upon. It has been denied that he was working as a Peon for about four years. He was never appointed as a Peon or as any regular employee is envisaged under the Rules and Regulations Governing the Recruitment Procedure. It has been prayed that the Hon'ble Tribunal be pleased to pass an award holding that the action of the management is justified in terminating the services of the concerned workman and he is not entitled to any relief.

4. Both the parties have filed their respective rejoinders admitting and denying the contents of some of the paragraphs of each other's written statement.

5. The concerned workman has produced himself as WW-1 and proved documents. Exts. W-1 to W-9.

The management has produced MW-1- Ardhendu Roy to support the case of the management.

6. It has been argued on behalf of the concerned workman that he worked continuously for more than 240 days in a calendar year and he was paid salary by the management.

7. The learned counsel for the management argued that he was engaged as a Coolie on daily wage basis for doing extra work. He is not entitled for regularisation because he is casual and paid daily wage as per requirement of the management. In this respect the concerned workman (WW-1) has stated in cross-examination at page 4 that -

"Initially I was paid on the basis of Rs.26 per day but later the payment was made on the basis of Rs.31 per day. The photo copies of the documents have been given to me by the concerned employees of the management and I got those documents from them after the termination of my service. Original of those documents are very much available with the management. It is not a fact that the original documents are not preserved after one year. The originals, as I have said, are still available with the management. Regular permanent employees are being issued pay slips. It is true that in Ext.W-7 the endorsements and signatures on a plain paper." It shows that he is not regular employee and regular employees are being paid monthly and pay slips are issued. He has also stated

in cross-examination at page 4 that Sanjay Agarwal, the daily wager, who was appointed in his place. It shows that he was daily wager and Sanjay Agarwal has been appointed in his place. In cross-examination at page 5 the concerned workman has stated that "my engagement was required only when the necessity arose or the requirement made." This only shows that he was engaged on daily wager when there was requirement and when necessity arose. There is no advertisement for that post, no publication has been given. Ext.W-1 shows his school leaving certificate and Ext.W-2 shows Employment Exchange Card and Ext.W-4 shows his application for getting leave from the management, but no any order has been passed by the management. Ext.W-5 shows that he has demanded advance salary for whom it has been mentioned worked for 12 days has been approved. As per Ext.W-6, W-6/1, W-6/2, W-6/3, W-6/4 and W-6/5 it only shows that he was paid wages by the management. This does not indicate that he was regular employee of the management by getting daily wages through voucher. Ext.W-7 only shows that how many days he worked and what amount became due at 25.75 rate total Rs.387.25 for 15 days. It only shows for how many days' work he got wages. In the top of Ext.W-7 it has been written from 15 April to 15 April, 1991. Ext.W-9 is the statement given by the concerned workman for his work in the years 1991, 1992 and 1993. Document marked 'x' for identification is an application by the concerned workman for his regularisation.

The management referred in its written argument Supreme Court Judgements reported in -

(1)(2005)8 SCC 481, (2)(2006)4 SCC 1, (3)(2006)13 SCC 727, (4)(2007)6 SCC 207 and (5)(2007)1 SCC 408. In Uma Devi's case the Hon'ble Supreme Court has clearly stated that an illegal appointment cannot be regularised as it is violative of Article 14 and 16 of the Constitution of India, which provide for equal opportunity in the matter of public employment to all. In the instant case, it is admitted fact that the concerned workman was a daily wager and has worked for few days in the Corporation and was not appointed/engaged in accordance with Rules of the Corporation much less by any competent Authority, and hence such a backdoor entry cannot be regularised not given powers to the concerned employees to get any relief from the Court of Law only because he managed to work somehow through backdoor entry.

8. In view of the discussion made above, I come to the conclusion that the action of the Senior Branch Manager, L.I.C. of India, Branch-I, Sector-IV, Bokaro Steel City, P.O. Sector-IV, Dist. Bokaro in terminating the services of Subhakant Pathak w.e.f. 7-9-1994 is Justified. In the result, the concerned workman is not entitled to any relief.

In the above manner the award is passed.

H. M. SINGH, Presiding Officer

नई दिल्ली, 10 अगस्त, 2009

का. आ. 2427.—ओद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ओरियंटल बैंक ऑफ कामर्स के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट ओद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं. 1, चण्डीगढ़ के पंचाट (संदर्भ संख्या 67/2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 7-8-2009 को प्राप्त हुआ था।

[सं. एल-12012/200/2001-आईआर (बी-II)]
राजेन्द्र कुमार, डेस्क अधिकारी

New Delhi, the 10th August, 2009

S. O. 2427.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 67/2002) of the Central Government Industrial Tribunal cum Labour Court, No. I Chandigarh as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Oriental Bank of Commerce and their workman, which was received by the Central Government on 7-8-2009.

[No. L-12012/200/2001-IR(B-II)]

RAJINDER KUMAR, Desk Officer

ANNEXURE

BEFORE SHRI GYANENDRA KUMAR SHARMA,
PRESIDING OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-1,
CHANDIGARH.

Case No. I.D. 67/2002

Shri Kuldeep Singh, S/o Shri Gurdial Singh,
VPO: Mohanpur, Ludhiana-141001.

.....Applicant

Versus

The Asstt. General Manager, Oriental Bank of Commerce,
Head Office, harsha Bhawan. Cannaught Place,
New Delhi-110001.

....Respondent

APPEARANCES

For the Workman : None

For the Management : Shri N. K. Zakhmi

AWARD

Passed on 4-11-08

Central Government vide notification No. L-12012/200/2001-IR (B-II) Dated 29-4-02, has referred the following dispute to this Tribunal for adjudication :—

“ Whether the action of the Management of Oriental Bank of Commerce, in awarding the punishment of dismissal from the services to Shri Kuldip Singh, S/o Sh. Gurdial Singh is just and legal ? If not, what relief the workman is entitled to and from which date ?

2. None is present on behalf of the workman. Learned counsel for the management is present. From last many days fixed for the hearing of this case the workman is not ensuring his presence. The reference was referred by the Central Government in the year 2002. Several opportunities have been given to the workman but he is not availing the opportunity of being heard. It is already 1.15 pm. At this stage, I have no option otherwise than to dismiss the claim of workman in reference for non-prosecution and return the reference to the Central Govt. as such. Accordingly, the reference is returned as such. Let the Central Government be informed. File be consigned.

Chandigarh
4-11-08

G. K. SHARMA, Presiding Officer

नई दिल्ली, 10 अगस्त, 2009

का. आ. 2428.—ओद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इण्डियन बैंक के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट ओद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं. 1, धनबाद के पंचाट (संदर्भ संख्या 316/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 7-8-2009 को प्राप्त हुआ था।

[सं. एल-12012/94/2000-आई आर.(बी-II)]
राजेन्द्र कुमार, डेस्क अधिकारी

New Delhi, the 10th August, 2009

S. O. 2428.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 316/2000) of the Central Government Industrial Tribunal cum Labour Court, No. 1, Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Indian Bank and their workman, which was received by the Central Government on 7-8-2009.

[No. L-12012/94/2000-IR(B-II)]

RAJINDER KUMAR, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL NO.1, DHANBAD

In the matter of a reference under section 10 (1) (d) &
(2A) of Industrial Disputes Act, 1947

Reference No. 316 of 2000

Parties :- Employers in relation to the management of Indian Bank, Calcutta.

And

Their workmen

Present : - Sri H. M. Singh, Presiding Officer

APPEARANCES

For the Employer : None

For the Workmen : Shri Ranjan Raj, Genl. Secretary

State : Jharkhand Industry : Bank

Dated, 29th June, 2009

AWARD

By Order No. L-12012/94/2000/IR (B-II) Dated 18-10-2000, the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub section (2A) of section 10 of Industrial Disputes Act 1947 referred the following dispute for adjudication to this Tribunal .

“ Whether the action of the management of Indian Bank, Calcutta regarding withdrawal of two increments of Shri Parikshan Choudhary, Clerk/Shroff is justified ? If not, what relief the workman is entitled to ? ”

2. This case is pending since 21-11-2000 for filing of written statement by the workman. Thereafter, notices were issued to both the parties for filing of written Statement, but till 8-6-09 no written statement was filed by the workman concerned.

Sri Ranjan Raj Genl. Secretary appeared and filed a petition stating that the workman concerned is not interested to contest the present reference case.

Hence, I pass a NO DISPUTE AWARD in the present reference case.

H. M. SINGH, Presiding Officer

नई दिल्ली, 10 अगस्त, 2009

का. आ. 2429.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार यूको बैंक के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण श्रम न्यायालय नं. 1, चण्डीगढ़ के पंचाट (संदर्भ संख्या 175/94) को प्रकाशित करती है, जो केन्द्रीय सरकार को 7-8-2009 को प्राप्त हुआ था।

[सं. एल-12012/94/94-आईआर. (बी-II)]

राजेन्द्र कुमार, डेस्क अधिकारी

New Delhi, the 10th August, 2009

S. O. 2429.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 175/94)

of the Central Government Industrial Tribunal cum Labour Court, No. 1 Chandigarh now as shown in the Annexure in the Industrial Dispute between the employees in relation to the management of Uco Bank and their workman, which was received by the Central Government on 7-8-2009.

[No. L-12012/194/94-IR (B-II)]

RAJINDER KUMAR, Desk Officer

ANNEXURE

**BEFORE SHRI GYANENDRA KUMAR SHARMA,
PRESIDING OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-I,
CHANDIGARH**

Case No. I.D. 175/94

Shri Sat Paul C/o Sh. J.C. Bhardwaj, Saproen. Distt. Solan (Himachal Pradesh)

.....Applicant

Versus

Divisional Manager, UCO Bank, Post Box 23, Circular Road, Shimla-171003.

....Respondent

APPEARANCES

For the Workman : Sh. J. C. Bhardwaj

For the Management : Sh. N. K. Zakhmi

AWARD

Passed on 1-12-08

Government of India vide notification No. L-12012/194/94-IR (B-II) Dated 1-12-94, referred the following industrial dispute for adjudication to this Tribunal :-

“Whether the action of the management of UCO Bank, Chail/Shimla in terminating the services of Sh. Sat Paul Peon w.e.f. February, 1987 is legal and justified ? If not, what relief is the said workman entitled to ? ”

On perusal of entire materials on record, it is evident that the main question for adjudication before this Tribunal is whether departmental scheme adopted by the management can over ride the provisions of Industrial Disputes Act in regularizing/continuing the workman in service ? It is the contention of the workman that he worked with the management from 9-7-1985 to 2-2-1987 continuously and had completed 240 days of work in the preceding year from the date of his termination. His services were terminated without notice and retrenchment compensation against the provisions of Industrial Disputes Act. It is also contended by the workman that he was paid Rs. 12 per day and Rs. 360 was paid to him every month. On the basis of above mentioned averments, the workman has requested for setting aside the termination order with

further prayer of his reinstatement into the services with full back wages and consequential benefits.

Management of UCO Bank has denied the contention of the workman that he had worked for more than 240 days in the preceding year from the date of his termination. It is contended by the management that the workman was engaged on daily wages as and when work required and was paid for the days he worked. It is further contended by the management of UCO Bank that it adopted a scheme regarding the regularization of the services of those workmen who had completed 240 days of work within a period of three years commencing from 12-10-86. As the workman has not completed 240 days of work with the management from 12-10-86 to 11-10-86, he was not considered for regularization of his services. On this very ground, the management has requested this Tribunal for dismissing the claim of work.

Both of the parties were afforded the opportunity of adducing/filing evidence. Sh. Sat Paul filed his affidavit and he was cross-examined by learned counsel for the management on 6-1-07 and 30-4-07. Sh. Rakesh Kumar, Steno, ALC (C) filed his affidavit which was marked as WW2. He was cross-examined by learned counsel for the management on 3-9-07.

Certain documents were filed by the parties. The main documents on which the fate of this reference depends are annexure PA marked A which is the calculation of working days filed by the management before ALC (C) in conciliation proceedings. This letter has been proved by WW2. Annexure PB is the letter written by the workman to the Manager, UCO Bank on 24-8-87 regarding his appointment on regular basis in the bank.

Annexure KC is the failure of conciliation proceedings report, Annexure PC is also the letter written by ALC (C), Chandigarh-II to Secretary Government of India, Ministry of Labour, New Delhi.

Annexure M1 is the letter said to be written by Sh. Sat Paul to Zonal Manager, UCO Bank Shimla, dated 26-7-90 and copies of four debit vouchers have also been filed by the management of the bank. Complete file of conciliation proceedings before ALC (C), Chandigarh is on record.

I have heard learned counsels for the parties and perused entire materials on record. It is the contention of the workman that he has completed more than 240 days of work with the management in the preceding year from the date of his termination. On the other hand, the contention of the management is that the workman was not eligible for the benefit of the management policy regarding the regularization of services of workman who has completed 240 days of work within 3 years commencing from 12-10-86. It has been further contended by the management of the bank that as the workmen have not completed 240

days of work from 12-10-86 to 11-10-89, he was not given the benefit of policy of the management regarding regularization of service. The management has referred letter written by Sh. Sat Paul to the Zonal Manager which is Ex. M-1 which shows that from 12-10-86 to 11-10-89, he had only worked with the bank for 61 days.

The claims of the management and workman are different. Workman is claiming that he had worked with the management of bank for more than 240 days in the preceding year from the date of his termination and, accordingly, he is protected from arbitrary termination from the services. The claim of the management, on the other hand is that as the workman was not eligible for regularization of services as per the scheme of the management of the bank, his services were not rightly regularized. These two contentions are different in nature. Continuance in service on daily wages or the termination from the service as per the provisions of Industrial Disputes Act is altogether a different matter than the regularization of his services. It may be true that the workman might have not completed 240 days of work within 3 years commencing from 12-10-86 to claim the benefit of regularization of services under the scheme adopted by the management and relied upon in its written statement. This Tribunal, while adjudicating this reference has to determine whether the termination of the workman was illegal being against the provisions of Industrial Disputes Act and this issue, in my opinion, has no concern with the regularization of the services of workman under the scheme mentioned and relied upon by the management.

Letter Annexure PA which was filed by the management before ALC (C) and proved by an official of ALC (C), Chandigarh. It proved that the workman has completed 268 days of work from 1-1-86 to 31-12-86. The records of ALC (C) which is on file, also proved that the workman has worked for more than 240 days in the preceding year from the date of his termination. The industrial dispute was raised without any delay and it is not the contention of the management that initial appointment as daily waged worker of the workman was illegal, and the person who appointed the workman was not competent for such appointment. The case being so, the termination of a workman was protected by the provisions of Industrial Disputes Act. Needless to mention, the management has powers and authority to terminate the services of the workman, but it could only have been done as per the provisions of Industrial Disputes Act. Meaning thereby, one month's notice or one month salary in lieu of the notice and retrenchment compensation calculated as per the provisions of Industrial Disputes Act was mandatory and necessary requirement before terminating the services of the workman. It was not done by the management, hence, the termination order was illegal. As stated earlier, that the scheme mentioned and relied upon by the management cannot override the provisions of

Industrial Disputes Act and it cannot be said that in view of not fulfilling the conditions of the scheme, the workman was estopped to raise a claim for the benefit of the provisions of Industrial disputes Act.

The termination of the workman being illegal, he is entitled for a suitable remedy. There are two possible remedies for redressal of the grievance of the workman. First is his reinstatement into the services on the same terms and conditions, he was working and another is a reasonable compensation. Considering the facts and circumstances of the case, and considering the view that the workman was not eligible for regularization of the services as per the policy adopted by the management, but, he was entitled for the benefits of the provisions of Industrial Disputes Act, I am of the view that a reasonable compensation will be a suitable remedy. The reasonableness of compensation is to be considered on several factors such as the amount of one month's salary in lieu of one month notice, amount of retrenchment compensation, depreciation in money, interest thereon and litigation expenses incurred by the workman on account of his illegal termination. Considering all the factors mentioned above, I am of the view that an amount of Rs. 25,000 will be a reasonable compensation to be awarded to the workman.

Accordingly, the management of respondent is directed to provide/deposit in the tribunal Rs.25,000 as reasonable compensation for redressal of the grievances of the workman. The reference is disposed of accordingly, Central Government be informed File be consigned.

G. K. SHARMA, Presiding Officer

नई दिल्ली, 10 अगस्त, 2009

का. आ. 2430.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एवं बी.सी.सी.एल. के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं.1, धनबाद के पंचाट (संदर्भ संख्या 211/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-8-2009 को प्राप्त हुआ था।

[सं. एल-20012/8/2000-आई आर(सी-I)]

स्नेह लता जवास, डेस्क अधिकारी

New Delhi, the 10th August, 2009

S. O. 2430.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 211/2000) of the Central Government Industrial Tribunal-cum-Labour Court, No.1 Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. BCCL and their workman, which was received by the Central Government on 10-8-2009.

[No. L-20012/8/2000-IR (C-I)]
SNEH LATA JAWAS, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL No. 1, DHANBAD

In the matter of a reference under section 10 (1) (d) (2A)
of the Industrial Disputes Act, 1947

Reference No. 211 of 2000

Parties :—Employers in relation to the management of Tetulmari colliery of M/s. BCCL.

And

Their workmen

Present :—Shri H. M. Singh, Presiding Officer

APPEARANCES

For the Employers : Shri D.K. Verma, Advocate

For the Workman : None

State : Jharkhand Industry : Coal

Dated, 2 & 3 July, 2009

AWARD

By Order No. L-20012/8/2000-IR (C-I) Dated 24-7-2000, the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub section (2A) of section 10 of the Industrial Disputes Act 1947, referred the following dispute for adjudication to this Tribunal .

“ Whether the action of the management of Tetulmari colliery of M/s. BCCL in dismissing the services of Sri Narayan Das, M/Loader w.e.f. 1-4-97 is justified ? If not, what relief is the concerned workman is entitled to ? ”

2. This reference case was received in this Tribunal on 7-8-2000. But inspite sending notice by speed post none appeared on behalf of the workman to take any step in this case. This case relates to the year 2000 and since then it is pending. It appears that neither the sponsoring union nor the concerned workman is interested to contest the case.

Under such circumstances, I render a ‘No Dispute’ Award in the present reference case.

H. M. SINGH, Presiding Officer

नई दिल्ली, 10 अगस्त, 2009

का. आ. 2431.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एवं बी.सी.सी.एल. के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं.1, धनबाद के पंचाट (संदर्भ संख्या 249/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-8-2009 को प्राप्त हुआ था।

[सं. एल-20012/69/2000-आई आर(सी-I)]

स्नेह लता जवास, डेस्क अधिकारी

"Whether the demand of the Mines Mazdoor Union from of the management of Bastacolla Colliery of M/s. BCCL for regularising Sri Satish Pandey as Store Clerk is fair and justified ? If so, to what relief is the concerned workman entitled and from what date ?"

This case has been registered in this Tribunal on 13-10-203. Thereafter notices were sent to the parties concerned for filing of written statement and rejoinder. The written statement and rejoinder has already been filed in this case.

Sri B. B. Pandey, Advocate appeared on behalf of the workman and filed a petition stating therein that the present dispute has already been settled and resolved with the management. As such, the concerned workman does not want to contest the case further more. He prays for passing a no dispute award.

In view of such submission I render a No Dispute Award in the present reference case.

H. M. SINGH, Presiding Officer

नई दिल्ली, 10 अगस्त, 2009

का. आ. 2433.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी.सी.सी.एल. के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं.1, धनबाद के पंचाट (संदर्भ संख्या 246/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-8-2009 को प्राप्त हुआ था।

[सं. एल-22012/101/2000-आई आर(सी-I)]

स्नेह लता जवास, डेस्क अधिकारी

New Delhi, the 10th August, 2009

S. O. 2433.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 246/2000) of the Central Government Industrial Tribunal -cum-Labour Court, No.1, Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. BCCL and their workman, which was received by the Central Government on 10-8-2009.

[No. L-22012/101/2000-IR (C-I)]

SNEH LATA JAWAS, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO.1, DHANBAD

In the matter of a reference under Section 10 (1) (d) & (2A) of Industrial Disputes Act, 1947

Reference No. 246 of 2000

Parties :—Employers in relation to the management of Sijua Area of M/s. B.C.C.L.

And

Their workmen

Present :—Sri H. M. Singh, Presiding Officer

APPEARANCES

For the Employers : None

For the Workman : None

State : Jharkhand Industry : Coal

Dated, 29th July, 2009

AWARD

By Order No. L-22012/101/2000-IR (C-I) Dated 29-8-2000, the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of Industrial Disputes Act, 1947 referred the following dispute for adjudication to this Tribunal.

"Whether the action of the management of Loyabad Colliery of M/s. BCCL in not regularising Sri Pranab Kumar Banerjee as Attendance Clerk is justified ? If not, to what relief is the concerned workman entitled ?"

This reference was received in this Tribunal on 18-9-2000 and since then none appeared on behalf of the concerned workman to file written Statement, inspite of sending notices to the parties. It seems that neither the workman concerned nor the sponsoring union is interested to contest the case.

In such circumstances, I render a No Dispute Award in the present case.

H. M. SINGH, Presiding Officer

नई दिल्ली, 10 अगस्त, 2009

का. आ. 2434.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एवं बी.सी.सी.एल. के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं.1, धनबाद के पंचाट (संदर्भ संख्या 56/2003) को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-8-2009 को प्राप्त हुआ था।

[सं. एल-20012/17/2003-आई आर(सी-I)]

स्नेह लता जवास, डेस्क अधिकारी

New Delhi, the 10th August, 2009

S. O. 2434.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 56 of 2003) of the Central Government Industrial Tribunal -cum-Labour Court, No.1, Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. BCCL and their workman, which was received by the Central Government on 10-8-2009.

[No. L-20012/17/2003-IR (C-I)]

SNEH LATA JAWAS, Desk Officer

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL NO.1, DHANBAD**
In the matter of a reference under Section 10(1)(d) &
(2A) of Industrial Disputes Act, 1947
Reference No. 56 of 2003

Parties : Employers in relation to the management of Sijua Area of M/s. B.C.C.Ltd

And

Their workmen

Present : Shri H. M. Singh, Presiding Officer

APPEARANCES

For the Employers : Shri D. K. Verma, Advocate

For the Workman : Shri N. G. Arun

State : Jharkhand Industry : Coal

Dated, the 22nd July, 2009

AWARD

By Order No. L-20012/17/2003-IR (C-I) Dated 27-6-2003, the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

"Whether the demand of the RCMS from the management of BCCL, Sijua area to regularise Sri Md. Siraj as Telephone Operator w.e.f. 12-7-1996 is proper and justified ? If so, to what relief is the concerned workman entitled ?"

2. In this case the concerned workman, Md. Siraj filed a petition stating that to pass a 'No Dispute' Award and Shri N.G. Arun, union representative made his endorsement over the petition that he has got no objection if a 'No Dispute' Award is passed in this case Shri D. K. Verma, Advocate of the management has got no objection to this.

Accordingly, I pass a 'No Dispute' Award in the present reference case.

H. M. SINGH, Presiding Officer

नई दिल्ली, 10 अगस्त, 2009

का.आ. 2435.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी.सी.सी.एल. के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नं.-1, धनबाद, के पंचाट (संदर्भ संख्या 252/2000) को प्रकाशित करती है जो केन्द्रीय सरकार को 10-08-2009 को प्राप्त हुआ था।

[सं. एल-20012/88/2000-आई आर (सी-1)]

स्नेह लता जवास, डेस्क अधिकारी

New Delhi, the 10th August, 2009

S.O. 2435.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central

Government hereby publishes the award (Ref. No. 252 of 2000) of the Central Government Industrial Tribunal-cum-Labour Court No. I, Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s BCCL and their workmen, which was received by the Central Government on 10-8-2009.

[No. L-20012/88/2000-IR(C-I)]

SNEH LATA JAWAS, Desk Officer

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT****INDUSTRIAL TRIBUNAL NO.1, DHANBAD**

In the matter of a reference U/s.10(1)(d) (2a) of
Industrial Disputes Act, 1947

Reference No. 252 of 2000

Parties : Employers in relation to the management of M/s. B.C.C.Ltd.

AND

Their workman

Present : Shri H.M. Singh, Presiding Officer

APPEARANCES

For the Employers : None

For the Workman : None

State : Jharkhand Indusstry : Coal.

Dated, the 30th July, 2009.

AWARD

By order No. L-20012/88/2000-(C-I) dated 7-9-2000 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 referred the following dispute for adjudication to this tribunal:

"Whether the action of the management in not regularising Shri Kedar Singh as Asst. Store Keeper is justified? If not, to what relief is the concerned workman entitled and from what date?"

2. This reference case was received in this Tribunal on 25-9-2000. Thereafter inspite of sending notice to the sponsoring union by speed post, none appeared on behalf of the concerned workman for filling written statement. This case is pending since 2000 and so it is needless to keep this case pending further.

In such circumstances, I render a 'No Dispure' Award in this reference case.

H. M. SINGH, Presiding Officer

नई दिल्ली, 11 अगस्त, 2009

का.आ. 2436.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार डब्ल्यू.सी.एल. के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर के पंचाट (संदर्भ संख्या 147/1997) को प्रकाशित करती है जो केन्द्रीय सरकार को 11-08-2009 को प्राप्त हुआ था।

[सं. एल-22012/551/1996-आई आर (सी-II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 11th August, 2009

S.O. 2436.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 147 of 1997) of the Central Government Industrial Tribunal-cum-Labour Court Jabalpur, as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of WCL and their workmen, which was received by the Central Government on 11-8-2009.

[No. L-22012/551/1996-IR(C-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR

No. CGIT/LC/R/147/97

Presiding Officer: Shri Mohd. Shakir Hasan

The President,

Koya Khadan Mazdoor Panchayat (HMS),
Shobhapur Colony; Qr.No.635,
Pathakhera Area,
Post Pathakhera, Distt. Betul (MP) ...Workman/Union

Versus

General Manager,
Western Coalfields Limited,
Pathakhera Area,
Post Pathakhera, Distt. Betul (MP) ...Management

AWARD

Passed on this 21st day of July-2009

1. The Government of India, Ministry of Labour vide its Notification No. L-22012/551/96-IR(C-II) dated 29-5-97 has referred the following dispute for adjudication by this tribunal:

“Whether the action of the management of Pathakhera Area of WCL in denying to accept the date of birth of Sh. Fauda Kahar as recorded in the Mining Sirdar’s Certificate i.e. 2-3-45 is legal and justified? If not, to what relief is the workman entitled?”

2. The case of the applicant in short is that the workman was working as Mining Sirdar at Shobhapur colliery of Western coalfield, Pathakhera area. He received an order dated 31-12-96 (Exhibit A-1) that on attaining the age of 60 years, he was going to retire on 30-6-97. It is stated that his date of birth is 2-3-1945 and as such he had to retire on 1-3-2005. The date of birth as 1-7-1937 was wrongly entered in the service book. It is stated that in Sirdar’s Certificate issued under Mining Act, the date of birth is 2-3-1945. The Identity Card issued by the authority

also indicates the date of birth as 2-3-45. It is further stated that as per National Coal Wage Agreement-III, Implementation Instruction No. 76, the date of birth will be treated as authentic as per Mining Sardar’s Certificate. The School Leaving Certificate of the workman also shows that his date of birth is 2-3-1945. It is stated that in the service records form, the workman had simply signed and he did not know English as such he had no knowledge as to what date of birth was entered into the service record. On these grounds, it is submitted that the reference be answered in his favour.

3. The non-applicant/management appeared and contested the case by filing Written Statement. The case of the non-applicant, inter alia, is that the workman Fauda Kahar was working as Underground Loader in Damua Colliery of ECL, PO Kali Paharia, Distt. Burdwan from where he was transferred to Shobhapur colliery of WCL, Pathakhera Area. The Last Pay Certificate was also sent to the Manager, Shobhapur colliery with the entire particulars of the workman duly signed by the authorities. The Service Register and Form B Register are bound to be maintained by the management under Mines Rules Regulations and the same are signed by the employee. It is stated that under Coal Mines Provident Fund Scheme, the declaration Form in Form-A has to be submitted by the workman and in all those registers and documents, the date of birth is entered as 1-7-37 and the documents also bear the signature of the workman. It is stated that the workman does not have any authentic and admissible record to support his date of birth as 2-3-1945. Therefore he has been rightly retired from service on 1-7-1997. It is submitted that the workman is not entitled to any relief.

4. On the basis of the pleadings of both the parties, the following issues arise for adjudication—

- (i) Whether the date of birth of the workman Fauda Kahar is 1-7-1937 or 2-3-1945?
- (ii) Whether the action of the management of Pathakhera Area of WCL in denying to accept the date of birth as 2-3-1945 is legal and justified?

5. Issue No. 1

To prove the case, both the parties have adduced oral and documentary evidence. To appreciate the dispute of the parties, firstly, Implementation Instruction No. 76 (Exhibit A-6) may be seen which reads as follows

“(A) Determination of the age at the time of appointment

(i) Matriculates

In the case of appointees who have passed Matriculation or equivalent examinations, the date of birth recorded in the said certificate shall be treated as correct date of birth and the same will not be altered under any circumstances.

(ii) **Non-matriculates but educated—**

In the case of appointees who have pursued studies in a recognised educational institution, the date of birth recorded in the School Leaving Certificate, shall be treated as correct date of birth and the same will not be altered under any circumstances.

(iii)

(iv) **Illiterate—**

In the cases of appointees not covered under the foregoing clauses, the date of birth will be determined by the Colliery Medical Officer keeping in view any documentary and other relevant evidence as produced by the appointee. Date of birth as determined shall be treated as correct date of birth and the same will not be altered under any circumstances.

(B) Review/determination of date of birth in respect of existing employees-

- (i) (a) In the case of the existing employees Matriculation Certificate or Higher Secondary Certificate issued by the recognised Universities or Board or Middle Pass Certificate issued by the Board of Education and/or Department of Public Instruction and admit cards issued by the aforesaid Bodies should be treated as correct provided they were issued by the said Universities/Boards/Institutions prior to the date of employment.
- (b) Similarly, Mining Sirdarship, Winding engine or similar other statutory certificates where the Manager had to certify the date of birth will be treated as authentic.

Provided that where both documents mentioned in (i)(a) and (i)(b) above are available, the date of birth recorded in (i)(a) will be treated as authentic.

- (ii) Where ever there is no variation in records, such cases will not be reopened unless there is a very glaring and apparent wrong entry brought to the notice of the management. The management after being satisfied on the merits of the case shall make appropriate action for correction to the Age Determination Committee/Medical Board.”

In the instant case, the workman has filed the School Leaving Certificate which is marked as Exhibit A/5. This shows that while he was in Class-VIII, he left the school on 30-3-57. The date of birth as in the Certificate is 2-3-1945 issued on 2-9-76. The instruction No. 76 says that for non-matriculate but educated, the date of birth record in the School Leaving Certificate shall be treated as correct date of birth. It is argued on behalf of the workman that the Instruction No. 76 also supports his contention and proves

that his date of birth is 2-3-45. The learned counsel for the management referred B(i)(a) of the Instruction No. 76 and argued that admittedly he was existing employee and such certificate should be issued prior to the date of employment and it should be issued by the department of Public Instruction. It is submitted that the said certificate (Exhibit A/5) does not show that the department of Public Instruction had endorsed the said School Leaving Certificate. It is true that School Leaving Certificate was issued while he was in service and it was not endorsed by the department of Public Instruction but I feel that it is a document of corroborative value.

6. The another document filed by the workman is Mining Sirdar's Certificate which is marked as Exhibit A/3. The said certificate appears to have been issued under the Coal Mines Regulations, 1957 by the independent body. The said certificate shows that his date of birth is 2-3-1945. The learned counsel for the workman also referred B(i)(b). Similarly Mining Sirdarship, where the Manager had to certify the date of birth, will be treated as authentic. It is argued that Exhibit A/1 is an admitted document by which he was informed by the management about the date of retirement. The said letter shows that the workman was Mining Sirdar. This itself shows that his Sirdar's Certificate was recognized by the Manager as such he was working as Mining Sirdar. The Learned Counsel also raised another very important circumstances that management document Form-B which is marked M/2 also shows that the date of birth i.e. 2-3-1945 is also recorded in the Form B. This shows that the management has also recognized the Sirdar's Certificate of the workman and only then the date of birth as 2-3-1945 is also entered in Form-B and also promoted him to the post of Mining Sirdar. This document is also the basis of determining the date of birth and it establishes that the date of birth of the workman is 2-3-1945.

7. The learned counsel for the management argued that the Instruction shows that where the Manager certifies the certificate and then it will be treated as authentic. It is submitted that the certificate does not show that it was certified by the Manager. I do not agree with the view of the learned counsel for the management, specially the circumstances discussed above clearly shows that it was recognised by the management and also by the Manager as such he was working as Mining Sirdar. The reason of the management is not acceptable.

8. Another document filed by the workman is Identity Card which is marked as Exhibit A/4 which appears to have been issued by WCL, Pathakhera Area. The original I Card also shows that it was signed by the Issuing Authority. This card was issued by the management/non-applicant. It shows that the date of birth is recorded as 2-3-45. The management witness C.C.Pandey has admitted in evidence at para-14 that Exhibit-A/4 I Card has been issued for identification of the workman but he has wrongly stated that it does not bear the signature of any Officer. Exhibit

A/4 shows that it bears the signature of issuing authority and the date of birth as 2-3-1945 is recorded on I -Card. This is admittedly a document of the management. This I Card also establishes that the date of birth of the workman is 2-3-1945.

9. Now let us examine the oral and documentary evidence adduced by the management. The management has filed Service Register which is marked as Exhibit M/I, Form B , a statutory record is maintained under Mines rules, which is marked as Exhibit M/2, Declaration form in Form-A submitted by the workman under Coal Mine provident Fund (in short CMPF) Scheme which is marked as Exhibit M/3. The Last Pay Certificate on his transfer from Damua Colliery to WCL, Pathakhera Area is also filed which is marked as Exhibit A/4 and A/5. The Service Excerpts was submitted by the workman duly signed by him which is marked as Exhibit A/6.

10. It is argued by the counsel of the management that entire records as has been filed shows that the date of birth is 1- 7-1937. It is also submitted that it is admitted by the workman. It is clear that the workman has admitted that he had signed over all those documents and registers filed by the management but it is challenged that he had knowledge of the entry of those documents and registers as the same were written in English and he admittedly doesnot know English. It is urged that there is nothing on the record to show that the same were read over and explained to the workman and then it was signed. Moreover the document of the management Form B a statutory record. It is said to have been prepared under Mines rules, which is Exhibit M/2. This shows that the date of birth as 2-3-1945 is also recorded.

11. It is argued that when his own statutory record also shows that the date of birth is also 2-3-1945. Then as to why the work was not noticed to retire on the basis of date of birth of 2-3-1945. The notice of retirement (Exhibit A/I) doesnot show that the management had rejected to consider the date of birth of 2-3-1945 which was recorded in his statutory record Form B (Exhibit M/2). The management witness Shri C.C.Pandey in his evidence at para-9 has also admitted that except Form B register and Form A declaration submitted to the CMPF, there is no variation in any of the documents. This itself shows that there was variation of date of birth in the records of the management. As such, the management record on the point of date of birth was not reliable.

12. It is surprising that there was variation in the records of the management about the date of birth of the workman Fauda Kahar but the management without reviewing and without determining the correct date of birth, arbitrarily considered the date of birth as 1-7-1937 and passed order of retirement by 1-7-97. It is an admitted fact that no show cause notice was also asked by the management to the workman for considering the date of

birth as 1-7-1937 specially when there was variation in the record of management. It is clear that there was clear violation of natural justice. It is not out of place to say that Instruction No. 76 also provides in B(b)(ii) that when there is no variation in records, such cases will not be re-opened but in the instance case, there was variation in the record of the management, even then the management had not reviewed and had not given any opportunity to the workman to prove his date of birth.

13. Another aspect is also necessary to be examined. That what was the basis of recording the date of birth in the record and registers of the management. Except Form B (Exhibit M/2) none of the register or record shows the basis on which the date of birth of 1-7-1937 was recorded. Form-B (Exhibit M-2) shows that the date of birth i.e. 1-7-1937 is recorded on the basis of service record and CMPF Record. It appears that there was no basis of recording the age as 1-7-1937 in the service record and CMPF record. It is argued on behalf of the counsel of the management that on the basis of declaration of the workman date of birth as 1-7-1937 was recorded. Firstly there is nothing on the record to show that on the basis of the declaration of the workman, the date of birth as 1-7-1937 was recorded. Secondly one cannot say his own age. Now let us see the Instruction No. 76 wherein at Para-A(iv) , it is stated that in case of appointees who are illiterate, the date of birth will be determined by the Colliery Medical Officer and the same shall be treated as correct date of birth. Admittedly the date of birth i.e. 1-7-1937 was not recorded on the basis of determination of the Medical officer. Form-B (Exhibit M/2) further shows that the date of birth i.e. 2-3-1945 is also recorded in the statutory record on the basis of Sirdar's Certificate. This date of birth is acceptable as it is recorded under the Instruction No. 76.

14. The learned counsel for the management have referred the order dated 25-6-97 passed in MP No. 336/92 by the Hon'ble high Court of MP, the order dated 22-3-01 passed in W.P.No. 18/2000 in the case of Shri Sunil and others versus Shiv Narayan Upadhyay are not applicable in the instant case. As in this case, there is variation in the record of the management itself and without giving opportunity to the workman, arbitrarily retired him on 1-7-1997. Accordingly this issue is decided in favour of the workman and against the management .

15. Issue No.2:

On the basis of the discussion made above, it is clear that the management has arbitrarily acted against the workman and therefore he was not legal and justified in denying to accept the date of birth as 2-3-1945. Now the workman has already crossed the age of superannuation, as such the workman Fauda Kahar is only entitled for monetary benefits. The management is directed to pay the back wages from 1-7-97 to 31-3-2005 and all retirement benefits accrue. On 31-3-2005 as if he had retired on 31-3-2005. This issue is also answered in favour of the workman and against the management.

16. In view of the above direction, the award is passed in favour of the applicant/workman and against the management with costs of Rs.5000 (Five Thousand only).

17. Let the copies of the award be sent to the Government of India, Ministry of Labour & Employment as per rules.

MOHD. SHAKIR HASAN, Presiding Officer

नई दिल्ली, 12 अगस्त, 2009

का.आ. 2437.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एवं डब्ल्यू. सी. एल. के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नागपुर, के पंचाट (संदर्भ संख्या 40/2004) को प्रकाशित करती है जो केन्द्रीय सरकार को 12-08-2009 को प्राप्त हुआ था।

[सं. एल-22012/170/2003-आई आर (सीएम-II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 12th August, 2009

S.O. 2437.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 40/2004) of the Central Government Industrial Tribunal-cum-Labour Court, Nagpur as shown in the Annexure in the Industrial Dispute between the management of Dhoptala Sub Area of WCL, and their workmen, which was received by the Central Government on 12-8-2009.

[No. L-22012/170/2003-IR(CM-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE

BEFORE SHRI A.N.YADAV, PRESIDING OFFICER, CGIT-CUM-LABOUR COURT, NAGPUR

Case No.CGIT/NGP/40/2004 Date: 27-7-2009.

Petitioner / : Shri Lomesh Khartad,
Party No.1 General Secretary, National Colliery
Workers Congress, Dr. Ambedkar
Nagar, Ballarpur, Chandrapur
(on behalf of Shri Dharmanarayan
Rambajan)

Versus

Respondent / : The Sub-Area Manager,
Party No.2 Dhoptala Sub-Area of WCL, PO Sasti,
Tah. Rajura, Dist. Chandrapur (M.S.)

AWARD

Dated: 27th July, 2009

1. The Central Government after satisfying the existence of dispute between Shri Lomesh Khartad, General Secretary, National Colliery Workers Congress, Chandrapur

(on behalf of Shri Dharmanarayan Rambajan) (Party No.1) and the Sub-Area Manager, Dhoptala Sub-Area of WCL, Chandrapur (M.S.) (Party No.2) referred the same for adjudication to this Tribunal vide its letter No.L-22012/170/2003/IR (CM-II) dated 25-2-2004 under clause (d) of sub-section (1) and sub-section (2A) of Section 10 of Industrial Dispute Act, 1947 [14 of 1947] with the following schedule.

2. "Whether the action of the management in relation to Dhoptala Sub Area of Western Coalfields Ltd., in terminating the services of Shri Dharmanarayan Rambajan, Loader vide Office Order No. बेकोलि/बक्षे/साका/45-B/ 1065 dated 19-11-2002 is legal and justified? If not, to what relief the workman is entitled?"

3. The General Secretary, Rashtriya Colliery Mazdoor Congress (RCMC) Union has raised the dispute of Mr. Dharmanarayan Rambajan before the ALC that the Petitioner was working as a Loader and on failing of the conciliation proceeding, the Government had referred it to the CGIT. During the pendency of the dispute i.e. reference No.40/2004 on 27-7-2009 both the parties settled it amicably outside the Court. They arrived at following certain conditions.

Terms and Conditions:

1. Shri Dharmanarayan Rambajan will be re-employed afresh as General Mazdoor in Cat-I for underground mine and he will be paid initial basis of Cat.1 (UG) in Ballarpur Area.
2. Such re-employment will be subject to medical fitness so certified by the Company Doctor.
3. Shri Dharmanarayan Rambajan shall remain on probation for a period of one year from the date of joining and he has to put in minimum 190 days of attendance in a year. In case his attendance and general performance is not found satisfactory by the management, his services shall automatically stand terminated without any enquiry or assigning any reason thereof.
4. Shri Dharmanarayan Rambajan shall be entitled only for continuity of service for the limited purpose of gratuity and this will be a full and final settlement. Further, the benefit of continuity of service will not be extended in such case where the person has been paid gratuity payment. This shall be full & final settlement and no further claim whatsoever shall be made in future.
5. The period from the date of his termination till re-employment and joining on his duty will be treated as dies-non on the principle of no work no pay.
6. Form H settlement individually or through union, incorporating the above terms and conditions for

entering into employment and the same will be sent for registration to the Labour machinery.

7. In case any dispute is pending before the CGIT, the re-employed person should withdraw the same from CGIT by filing a copy of Settlement for consent award. If any matter is pending before any other courts, the union-ex-employee will withdraw the case from the concerned court.
 8. He shall have no right to apply for VRS at later stage.

They agreed it before the Court by filing the pursis and requested for the Award in that terms. I accepted it and recorded the compromise Award in the terms of it. Consequently, there remained no dispute due to the compromise. Hence, this no dispute Award.

Date: 27-07-2009.

A. N. YADAV, Presiding Officer
नई दिल्ली, 12 अगस्त, 2009

का.आ. 2438.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एवं डब्ल्यू. सी. एल. के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/प्रम न्यायालय, नागपुर, के पंचाट (संदर्भ संख्या 35/2007) को प्रकाशित करती है जो केन्द्रीय सरकार को 12-08-2009 को प्राप्त हुआ था।

[सं. एल-220।2/15/2007-आई.आर. (सीएम-II)]

New Delhi, the 12th August, 2009

S.O. 2438.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 35/2007) of the Central Government Industrial Tribunal-cum-Labour Court, Nagpur as shown in the Annexure in the Industrial Dispute between the management of Ballarpur Coillery 3/4 Pits of WCL, and their workmen, received by the Central Government on 12-8-2009.

[No. L-22012/15/2007-IR(CM-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE

**BEFORE SHRI A.N.YADAV, PRESIDING OFFICER,
CGIT-CUM-LABOUR COURT, NAGPUR**

Case NO.CGIT/NGP/35/2004 Date: 31-7-2009.

Petitioner /
Party No.1 : The President,
Rashtriya Koya Khadan Mazdoor
Sangh (INTUC), New Miner Quarter
79/2, Post: Ballarpur, Chandrapur
(on behalf of Shri Sunil Fakru
Popatkar)

Versus

Respondent/ Party No. 2 : The Sub-Area Manager, Ballarpur Colliery 3 and 4 pits of Western Coalfield Limited, Post & Tah. Ballarpur, Dist. Chandrapur (M.S.)

AWARD

Dated: 31st July, 2009

1. The Central Government after satisfying the existence of dispute between the President, Rashtriya Koya Khadan Mazdoor Sangh (INTUC), Chandrapur (on behalf of Shri Sunil Fakru Popatkar) (Party No.1) and the Sub-Area Manager, Ballarpur Colliery 3 and 4 pits of Western Coalfield Limited, Chandrapur (M.S.) (Party No. 2) referred the same for adjudication to this Tribunal vide its letter No.L-22012/15/2007-IR (CM-II) dated 26-6-2007 under clause (d) of sub section (1) and sub Section (2A) of Section 10 of Industrial Disputes Act, 1947 (14 of 1947) with the following schedule.

2. "Whether the action of the management of WCL in dismissing Shri Sunil Fakru Popatkar w.e.f. 18-02-2003 is legal and justified? If not, to what relief is the workman entitled?"

3. The President, Rashtriya Koyla Khadan Mazdoor Sangh (INTUC) Union has raised the dispute of Shri Sunil Fakru Popatkar before the ALC and on failing of the conciliation proceeding, the Government had referred it to the CGIT-cum Labour Court. During the pendency of the dispute i.e. reference No. 35/2007 on 14-7-2009 both the parties settled it amicably outside the Court. They arrived at following certain conditions.

Terms and Conditions:

1. Shri Sunil Fakru Popatkar will be re-employed afresh as General Mazdoor in Cat-I for underground mine and he will be paid initial basic of Cat.I [UG] in Ballarpur Area.
 2. Such re-employment will be subject to medical fitness so certified by the Company Doctor.
 3. Shri Sunil Fakru Popatkar shall remain on probation for a period of one year from the date of joining and he has to put in minimum 190 days of attendance in a year. In case his attendance and general performance is not found satisfactory by the management, his services shall automatically stand terminated without any enquiry or assigning any reason thereof.
 4. Shri Sunil Fakru Popatkar shall be entitled only for continuity of service for the limited purpose of gratuity and this will be a full and final settlement.

5. The period from the date of his termination till re-employment and joining on his duty will be treated as dies-non on the principle of no work no pay.
6. Form-H settlement individually or through union, incorporating the above terms and conditions for entering into employment and the same will be sent for registration to the Labour machinery.
7. Dispute is pending before the CGIT, the re-employed person will withdraw the same from CGIT by filing a copy of Settlement for consent award. If any matter is pending before any other courts, the union-ex-employee will withdraw the case from the concerned court also.
8. He shall have no right to apply for VRS at later stage.

They agreed it before the Court by filing the pursis and requested for the Award in that terms. I accepted it and recorded the compromise Award in the terms of it. Consequently, there remained no dispute due to the compromise. Hence, this no dispute Award.

Date: 31-07-2009.

A. N. YADAV, Presiding Officer

नई दिल्ली, 12 अगस्त, 2009

का.आ. 2439.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एवं एन.एल.सी.एल.के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, चैन्नई, के पंचाट (संदर्भ संख्या 82/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 12-8-2009 को प्राप्त हुआ था।

[सं. एल-22012/347/2005-आई.आर. (सीएम-II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 12th August, 2009

S.O. 2439.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 82 of 2006) of the Central Government Industrial Tribunal-cum-Labour Court, Chennai as shown in the Annexure, in the Industrial Dispute between the management of Neyveli Lignite Corp. Ltd., and their workmen, received by the Central Government on 12-8-2009.

[No. L-22012/347/2005-IR(CM-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, CHENNAI

Wednesday, the 5th August, 2009

Present : A. N. Janardanan, Presiding Officer

Industrial Dispute No. 82/2006

(In the matter of the dispute for adjudication under clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), between the Management of Neyveli Lignite Corporation Ltd. and their Workman)

BETWEEN

Sri Francis Priyara : 1st Party/Petitioner

Vs.

The Director (Personnel) : I Party/Respondent
Neyveli Lignite Corporation Ltd.,
Neyveli,
Neyveli-607 801.

APPEARANCE

For the Petitioner Union : M/s. Ajay Khose, V. Porkodi

For the Management : M/s. N.A.K. Sarma,
N. Nithianandan

AWARD

The Central Government, Ministry of Labour *viae* its Order No. L-22012/347/2005-IR (CM-II) dated 13-9-2006 referred the following Industrial Dispute to this Tribunal for adjudication.

The schedule mentioned in that order is :

“Whether the demand of the workman, Shri Francis Priyara for reinstatement with back wages, continuity of service and all attendant benefits from the management of Neyveli Lignite Corporation Ltd. is legal and justified? If so, to what relief the workman is entitled?”

2- After the receipt of Industrial Dispute, this Tribunal has numbered it as 82/2006 and issued notices to both sides. Both sides entered appearance through their respective counsel and filed their Claim, Counter and Rejoinder Statement as the case may be.

3. The averments in the Claim Statement briefly are as follows :

The petitioner who joined serviced under Neyveli Lignite Corporation doing business of mining of lignite and power generation, regularized on 1-2-1981 and later promoted successively as Industrial Worker Grade-II on 1-2-1981, Grade-I on 1-2-1987, as Operator on 15-7-1987, Grade-IV on 1-8-1998, Grade-III(C), II(b) and I(a) in 1992, 1993 and 1998, by then with 23 years of long service was dismissed from service. His shift in charge had always been hostile with ill-treatment towards him in relation to his work. On 1-10-2000, he was denied half a day leave in spite of being for genuine reason. On 2-10-2000 when he was on leave at about 1420 hrs. he had occasioned to be in his office to complain about the denial of leave he was forcibly taken to Government Hospital subjected to medical examination for drunkenness and thereafter spared. He was suspended on 3-10-2000 and charge sheeted on 18-10-2000 alleging that at 1330 hrs. on 1-10-2000, (i) he did not carry out his work, (ii) he used un-parliamentary words against his superiors. (iii) he manhandled his

co-workers and (iv) he was in a drunken condition and mis-conducted himself against Standing Orders 46(i)(X)(XXXV) and (XXXVIII). In his three explanations he denied the charges without considering which an enquiry was commenced on 9-2-2002 and concluded on 12-12-2003. Enquiry was not conducted in a fair and proper manner. In the enquiry report dated 8-3-2004, Charge nos. (i), (ii), (iii) were held proved and charge no. (iv) not proved. To the finding he submitted explanation on 15-07-2004 denying them. He also gave explanation on 27-8-2004. A show cause notice proposing dismissal dated 6-8-2004 was issued. On 30-10-2004, he was dismissed which was confirmed by the Appellate Authority on 10-2-2005. Industrial Dispute raised before the Assistant Commissioner of Labour (Central) having failed the reference is occasioned. The charges were vague. Who was the superior against whom un-parliamentary words were used not mentioned, who was the co-worker manhandled not mentioned. Complaints allegedly lodged by P. Chandresan and G.V. Ramachandran were not given to him which prejudiced him, no fair opportunity to cross-examine the witnesses was given. The Enquiry Officer acted as a prosecutor, cross-examined the petitioner and acted in a biased manner. The Enquiry Officer allowed Second Party to reopen the enquiry without notice to petitioner and stepped into the shoes of the Respondent. Two independent and material witnesses were not examined. The Appellate Authority proceeded as if the petitioner admitted the charges in his explanation. Even if admitted and if enquiry is still held charges should be proved. The Respondent acted not bona fide, in unfair labour practice and in factual and legal victimization. The punishment is shockingly disproportionate. He was not given proper opportunity to submit his explanation as regards past record which Disciplinary Authority took into account before dismissal. The enquiry is vitiated and the finding is perverse. It is against the principles of natural justice and Standing Orders. Hence the reference.

4. The allegations in the Counter Statement briefly stated are as follows :

The petitioner while was working as Driver in pick-up transport vehicle service of mini-auto division, Mine-I in 2000 at 1345 hrs. on 02-10-2000 Shift-Incharge having had reasonable doubt of he being intoxicated refused to allot duty and petitioner behaved riotously towards Chandresan, Shift-Incharge. The petitioner used un-parliamentary words towards G. V. Ramachandran and manhandled him. So he was denied to be engaged as he was in a violent mood and intoxicated stage to do the job involving safe transport of workmen inside the mines and he was got medically checked up to ascertain the intoxication. On complaints of the above persons, the petitioner was suspended on 03-10-2000 and thereafter charge sheeted on 18-10-2000 charging him to have had not carried out his allotted work and to have used un-parliamen-

tary words at his superiors and manhandled co-worker in drunken condition. In one of the three explanations, he admitted altercation to have had taken place with G. V. Ramachandran on 02-10-2000 over and above explaining his family problems, health, etc. as reasons for the incident assuring non-recurrence of it in future upon which the suspension was revoked. Though in the explanation dated 28-10-2000, he impliedly admitted misconduct. On 30-12-2000, retracted his admission in writing which is under an afterthought. A departmental enquiry was conducted in which full opportunity was given to him with a defence assistant allowing him the opportunity to cross-examine the witnesses examined by the Respondent and allowing him also to examine one Selvaraj which enquiry proceedings were not objected to by him. In the enquiry charges except drunkenness were proved. He was given copy of the report to which objection was filed on 15-07-2004. He was issued show cause notice and communicated proposed punishment of removal from service without notice or pay under Standing Order-47. The petitioner has had antecedent records of bad service like a demotion, warning etc, for rash driving of van, unauthorized erection of sheds in his quarters. The allegations against his superiors or coworkers are false. Leave is not a matter of right and whenever leave has been denied to the petitioner, it has been on exigencies of service. It is incorrect that the Enquiry Officer stepped into the shoes of the Respondent. Sri Ravichandran was examined as management witness on the request of the petitioner as revealed from the enquiry proceedings. The petitioner never sought for copy of complaints during enquiry proceedings and he is estopped from alleging to the contra. In the explanation dated 28-10-2000 of the petitioner it could be read that he had attributed his family health and work circumstances as the causes for his misconduct in question that he assured not to allow recurrence of such misconduct and he pleaded for revocation of suspension and dropping of disciplinary proceedings. They amount to implied admission of his misconduct. The action against the petitioner is bona fide and in accordance with the Standing Orders, principles of natural justice and fair play. There is no unfair labour practice, factual or legal victimization practiced on him. His shocking act of insubordination, use of abusive and un-parliamentary languages, manhandling of supervisory staff, shouting at superiors, eroding the discipline are acts not to be softly dealt with. The punishment imposed is proportionate to the gravity of the misconduct. To prove the charges his past blemished record has not been placed as material relied upon. The claim is to be dismissed.

5. The substance of the rejoinder averments is as follows :

It is relying on adverse past record without hearing petitioner that dismissal order was passed. The past record was not mentioned in the Second Show Cause Notice so disabling him to explain. Against past adverse actions

against him, ID has been raised before Assistant Labour Commissioner (C) and is pending.

6. Points for consideration are :

- (i) Whether the demand for reinstatement with back wages, continuity of service and all attendant benefits of the petitioner is legal and justified?
- (ii) To what relief the petitioner is entitled?

7. The evidence in this ID consists of testimony of WW1 and Ex. W1 to Ex. W8 on the petitioner's side and on the Respondent's side MW1 and Ex. M1 to Ex. M21 of which Ex. M1 to Ex. M19 were marked on consent.

Point No. 1

8. Here is a case of an individual workman espoused by himself against his removal from service on some misconduct for reinstatement with back wages and attendant benefits. It is argued on his behalf that out of the four charges levelled against him, the fourth one, drunkenness has not been proved. The other charges are that (i) on 01-10-2000, he did not carry out his work (ii) he used unparliamentary words towards his superiors and (iii) he manhandled his co-workers. His contentions against the charges are that they were vague for the reason that the superiors against whom un-parliamentary words were used or the co-worker manhandled by him as alleged have not been named. His contention that copies of complaints allegedly given by Chandresan and G. V. Ramachandran were not given to him and thereby prejudiced him is met by the Respondent saying that in fact the petitioner did not want the same. To the case of the petitioner that the enquiry was not held in a fair and proper manner and was against the principles of natural justice and also that Respondent did not examine independent material witnesses the stand of the Respondent is that the petitioner was given full opportunity with a Defence Assistant allowing him opportunity to cross-examine witnesses and also himself allowing examination of his witness. The petitioner has not had any objection regarding the enquiry or the manner of the enquiry in which it went through, Respondent argues. They also deny that the Enquiry Officer was biased. Further, according to the Respondent the petitioner impliedly admitted in his explanation dated 28-10-2000 that the misconduct attributed was due to his family health and work circumstances as the causative factor thereto also undertaking not to allow a recurrence of the same and further instantaneously pleading for revocation of suspension and disciplinary action. There is no unfair labour practice or any victimization practised on him. The petitioner assails his punishment as shockingly disproportionate and as without giving opportunity to submit explanation as against past record which according to him Disciplinary Authority took into account before the punishment but which is denied by the Respondent. According to the Respondent the past record has not been considered for the punishment.

9. Evidently, this is a case in which the petitioner admitted his misconduct to a certain extent in his written explanation dated 28-10-2000 in which he has delineated his family health and working circumstances as the causative factors for the misconduct of course which was thereafter retracted upon which was the enquiry proceedings started against him.

10. As already mentioned by me above the pertinent question is whether the misconducts based incidents have actually taken place. The learned counsel for the petitioner would contend that on the date of alleged incident the workman was actually not on duty. Still admittedly he was to his workplace on that day. According to the learned counsel for the petitioner, the enquiry is not fair and the finding is perverse. Going by the enquiry proceedings, it could be found that the petitioner did not object to the mode of enquiry and he fully participated in it. He cross-examined the management witness and got a witness examined for himself. Though the couching charge phraseology looks a bit vague in the absence of necessary details, it is not such an extent as to render it difficult for the petitioner to meet and defend it. Though the petitioner may or may not have been on leave on 2-10-2000, it is evident that he came to the premises of the Respondent. When he was certainly at the place and the alleged incident of using un-parliamentary words to superiors and manhandling of colleagues is actually proved happened, the mere mentioning of the said incident without stating the names of victim persons is not to be read as material. The fact that the allegedly used un-parliamentary words have not been mentioned in the charge sheet assumes importance for the reason that the same should have been confronted to the petitioner from the very inception who has been indicted for the words which if not exactly put before him an objective finding cannot be reached by the fact finding body. In other words if a changed version is given thereafter on the ill-motive of the accuser it is quite to the prejudice of the workman. Therefore, non-mentioning of the unparliamentary words is prejudicial to the petitioner. The charge that the petitioner was drunk and therefore under its influence admittedly does not stand proved for want of medical report. The proved non-supply of the copies of the complaints of Chandresan and G. V. Ramachandran lodged against the petitioner was allegedly for the reason that the petitioner did not want it. The said reason is not a palatable one for the reason that in spite of the petitioner not asking for it, it should have been supplied to him. But, that perse is not a ground to hold that the enquiry has not been proper or fair. There is also nothing to show that in fact the petitioner was thereby prejudiced in his defence. Discernibly, the petitioner participated in the enquiry well. The finding that the petitioner was put on duty on 2-10-2000 and that he did not perform his duty is proved. According to the petitioner he was on leave but according to the Respondent he was on duty.

What is discernible is that the petitioner was to the place of Respondent. It was at that time the alleged incident took place. The noting of "PH" in the Attendance Register on the particular day against the name of the petitioner is with a cogent explanation placed before this Tribunal. It could be found that the petitioner was actually on duty on that day, but he refused. Therefore, charge of non-performance of duty by the petitioner could be found proved. Being shrouded in mystery as to the exact words alleged spoken, it is difficult to enter a finding that the petitioner used un-parliamentary words as charged against him. It is well to comprehend that the Disciplinary Authority has also taken into account the past record of the petitioner in imposing the punishment whereas his stand is that the same has not been taken into account for the punishment. The specific case of the petitioner is that notice of his past record of bad service was not given to him which is discernibly true. While the Disciplinary Authority clings to his stand that he has not taken into account the past record of the petitioner for the punishment, it could be seen that he did actually take into account the same for the imposed punishment. The punishment is also shockingly disproportionate. The learned counsel for the petitioner relied on the decision of the Hon'ble High Court of Madras in the case of The Management of Easwaran and Sons Engineers (P) Ltd. and III Additional Labour Court of Madras and Another (1997 I LLJ 88) which reads as follows: "therefore, on the second question argued by Mr. Balasubramanian, we have no hesitation in holding that in this case, the past record of service having been taken into account only for the purpose of imposing the extreme penalty, the order of punishment is vitiated because no notice was given to the worker before taking into account the past record of service to the prejudice of the worker. This is a legal infirmity in the order of dismissal as well as in the award of the Labour Court. This legal infirmity is sufficient to interfere with the Judgment of the Labour Court in proceedings under Article 226 of the Constitution of India."

1. There is nothing to find that the enquiry held is not valid or proper. It also does not violate any fundamental principles of natural justice. The alleged vagueness regarding the various elements of the charge is not one prejudicing the delinquent. Therefore, it is not material to affect the validity of the enquiry or the finding. Whether the petitioner uttered un-parliamentary words towards a superior cannot be found sufficiently proved for the reason that the exact words spoken by him were not mentioned in the charge memo. This has a tendency to prejudice the petitioner to meet the charge and set-up his defence. In the absence of the exact words used by the petitioner in the Charge Memo, I am of the view that, that part of the charge cannot be found proved. That the petitioner did not perform his duty allocated to him on 2-10-2000 is also proved. That petitioner was drunk on 2-10-2000 admittedly does not stand proved. It is on the

basis of some satisfactory evidence that the finding has been entered into by the Enquiry Officer. There is no reason to assail it as perverse. In other words there is no any infirmity attached to the enquiry proceedings or the finding arrived at except as to the charge that the petitioner used un-parliamentary words towards his superior. Without the exact words spoken being actually stated even at the outset and thereafter brought home, it cannot be conclusively said that the words used by the petitioner were of such a nature as to characterize them as unparliamentary. It is pertinent to note that the petitioner impliedly admitted his blameworthy conduct in his written explanation dated 28-10-2000 pursuant to which his suspension was revoked without prejudice to the departmental enquiry. The said enquiry went well and the same was held fairly and properly. There need not be any hesitation to hold that the enquiry and the findings are fair and proper and are not vitiated except regarding allegation as to the use of unparliamentary words. Therefore, the finding of the Enquiry Officer except to that extent is only to be sustained and so ordered.

2. Regarding argument that the punishment is shockingly disproportionate, I am of the view that there is some force in the contention. As could be seen from the records the Disciplinary Authority took into consideration the past record of bad service of the petitioner for imposing the punishment of removal from service. It is without giving the petitioner notice so as to afford him an opportunity to explain his past record of bad service. This is not approved by law as laid down by various judicial pronouncements. It is a case in which the petitioner conducted himself in a disorderly manner due to some unfavourable conditions obtaining in his family and health conditions and workplace situations as expressly admitted by him in his explanation dated 28-10-2000. There is no proof for his pathetic conditions. It is not to be totally rejected as untrue. So it is to be discerned that petitioner acted unbecoming of him towards his superiors under some stress and strain. In his explanation dated 28-10-2000 he has mentioned his melancholic situations. This is not to be rejected as wholly untrue. Therefore he is to be given a lesser punishment of a minor nature rather than of removal from the service, the one which is presently imposed which is shockingly disproportionate to the gravity of the offence. Therefore, I set aside the order of the Disciplinary Authority removing him from service invoking Section 11A of the ID Act. On setting aside the punishment of removal from service, he will be reinstated into service with 25% of the backwages (treating the remainder 75% of backwages as the punishment to be given to him) with continuity of service and all other attendant benefits. So ordered.

Point No. 2

3. In the light of above findings, the petitioner is ordered to be reinstated into service with 25% of backwages (treating the remainder 75% of backwages as punishment), continuity of service and all other attendant benefits. No order as to costs.

4. The reference is answered accordingly. (Dictated to the PA, transcribed and typed by him, corrected and pronounced by me in the open court on this day the 5th August, 2009)	EX.M15 EX.M16 EX.M17 EX.M18 EX.M19 EX.M20 EX.M21	27.08.2004 30.10.2004 08.11.2004 12.11.2004 10.02.2005 02.10.2000 02.10.2000	Explanation given M. Francis Priyara Final Order of the Disciplinary Authority Order of removal Appeal preferred by M. Francis Priyara Order of Appellate Authority Statement of Chandresan Statement of G. V. Ramachandran			
A.N. JANARDANAN, Presiding Officer						
Witnesses Examined						
For the 1st Party/Petitioner : WWI Sri Francis Priyara						
For the 2nd Party/Management: MWI Sri G. Thirumurugan						
Documents Marked						
On the Petitioner's side						
Ex. No.	Date	Description				
Ex. W1	05-09-1988	Appreciation certificates by office of the Chief/Training and Development Training Complex.				
Ex. W2	-	Particulars of overtime, duty done by the I Party				
EX.W3	-	Advance Particulars				
EX.W4	-	Lorry Allotting Register.				
EX.W5	04-06-2005	Enquiry Notice by the ACL				
EX.W6	-	I.D. raised by the I Party				
EX.W7	31-07-2007	Enquiry notice by the ACL				
EX.W8	-	I.D. raised by the I Party				
On the Management's side						
Ex. No.	Date	Description				
EX.M1	03.10.2000	Suspension Order of M. Francis Priyara				
EX.M2	18.10.2000	Charge Memo				
EX.M3	18.10.2000	Explanation given by Francis Priyara				
EX.M4	28.10.2000	Explanation of M. Francis Priyara				
EX.M5	28.10.2000	Revocation of Suspension Order				
EX.M6	30.10.2000	Explanation given by the M. Francis Priyara				
EX.M7	14-08.2002	Letter addressed to the Enquiry Officer				
EX.M8	-	Enquiry proceedings				
EX.M9	21.06.2003	Statement of M. Francis Priyara				
EX.M10	09.02.2004	Enquiry Report.				
EX.M11	22.06.2004	Proceedings of II Party				
EX.M12	24.06.2004	Memo of the II Party seeking objections over				
Ex.NI13	15.07.2004	Explanation given by Francis Priyara				
EX.M14	06.08.2004	Provisional show cause notice issued by 2nd Party				

नई दिल्ली, 12 अगस्त, 2009

का.आ. 2440.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) को धारा 17 के अनुसरण में, केन्द्रीय सरकार एवं ई.सी.एल. के प्रबंधितन्त्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकारण, आसनसोल, के पंचाट (संदर्भ संख्या 92/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 12-8-2009 को प्राप्त हुआ था।

[सं. एल-22012/114/2006-आई आर (सीएम-II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 12th August, 2009

S.O. 2440.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 92/2006) of the Central Government Industrial Tribunal-cum-Labour Court Asansol as shown in the Annexure, in the Industrial Dispute between the management of Bansra Colliery of M/s. ECL., and their workmen, received by the Central Government on 12-8-2009.

[No. L-22012/114/2006-IR (CM-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
ASANSOL**

Present : Sri Manoranjan Pattnaik, Presiding Officer
Reference No. 92 of 2006

Parties : Industrial Dispute between Management of Bansra Colliery of M/s. ECL, Burdwan.

Vrs.

The Vice President, Koyla Mazdoor Congress,
Andal, Burdwan.

REPRESENTATIVES

For the Management : Sri P.K. Das, Advocate

For the Union (Workman) : Sri P.C. Panday, Koyla
Mazdoor Congress

Industry : Coal

Sate : West Bengal

Dated the 30-7-2009.

AWARD

In exercise of powers conferred by clause (d) of sub-section (1) and Sub-section 2(1) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), Government of India through the Ministry of Labour *vide* its letter No.L-012/114/2006-IR (CM-II) dated 1-11-2006 has been pleased to refer the following dispute for adjudication by this Tribunal.

SCHEDULE

"Whether action of Management of Bansra Colliery of ECL in dismissing Sri Israel Mia from services w.e.f. 6-11-2003 is legal and justified? If not, to what relief the workmen entitled?"

2. On receipt the Order No. L-22012/114/2006-IR (CM-II) dated 1-11-2006 of the above mentioned reference from the Government of India, Ministry of Labour, New Delhi for adjudication of the dispute, a reference case No. 92 of 2006 was registered on 11-12-2006 and accordingly an order to that effect was passed to issue notices through the registered post to the parties concerned directing them to appear in the court on the date fixed and to file their written statements along with the relevant documents and a list of witnesses in support of their claims. In pursuance of the said order notices by the registered post were sent to the parties concerned.

3. The workman is an employee of the Eastern Coal Field Limited (ECL) and worked as U.G. Loader at Bansara Colliery, Kunustoria Area during the relevant period.

4. Shun of all details, the case of the workman as averred in this pleading is that due to serious sickness he remained absent in his duties from 13-2-1992. He was charge-sheeted *vide* C.S. No. 405 dated 18-3-1993. He filed all his Medical papers in support of his sickness and participated in the domestic enquiry but was not given opportunity to defend himself and prove his innocence. Violating all norms and principle of natural justice he (the Workman) was dismissed from service from 6-11-1993 on the basis of the finding of the enquiry report.

5. The Employer's case in short is denial of the assertion of the workman. The workman failed to explain satisfactory his absence in duties and his alleged misconduct. The workman is a habitual absentee and has been awarded with punishment earlier.

6. The factual issue simplicitor is that whether the workman's absence in duties w.e.f. 13-2-1992 was willful or was due to sickness which prevented him from attending duties. The workman in his evidence reiterated his plea in the written statement. He is found to have produced the Medical Certificate before the Enquiry Officer as there is a reference to such a Medical Certificate filed by the workman in the enquiry report and copy of the Certificate ext. wi/1 is very much in the enquiry proceeding. Neither the management nor the Enquiry Officer has refuted the same. As such facts remain that the workman was in fact sick and

was prevented from attending duties being prevented by sufficient reason. The Enquiry Officer found his misconduct as there has been delay of about 3 months in joining duties on the part of the workman. It is found that the workman had no opportunity to explain as allegedly he was not given such opportunity to explain during the proceeding by putting question on this specific point and by recording his statement. To this extent enquiry proceeding stand impaired and there is no reason not to accept the version of the workman in this proceeding that due to prolong illness he could not join in duty. The workman admittedly worked under ground which is very often hazardous and causes peculiar illness. It is also not expected that a person will be at once ready to undertake such work soon after he is found fit by the Doctor. Taking into consideration the above facts and circumstances it can safely be concluded that the dismissal of the workman Md. Israel Mia by the management is not justified. In absence of any proof of his lis-pendis gainful employment else where he entitled himself not only the reinstatement in service but also full back wages and consequential benefit. Hence an award passed accordingly.

ORDER

Let an award as above be and same is passed. Send the copy of the award be sent to the Ministry of Labour and Employment, Government of India, New Delhi.

MANORANJAN PATTNAIK, Presiding Officer

नई दिल्ली, 12 अगस्त, 2009

का.आ. 2441.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एवं ई.सी.एल. के प्रबंधतत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/प्रम न्यायालय, असनसोल, के पंचाट (संदर्भ संख्या 91/1999) को प्रकाशित करती है, जो केन्द्रीय सरकार को 12-8-2009 को प्राप्त हुआ था।

[सं. एल-22012/373/1998-आई.आर. (सीएम-II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 12th August, 2009

S.O. 2441.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 91 of 1999) of the Central Government Industrial Tribunal-cum-Labour Court Asansol, as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of ECL and their workman, which was received by the Central Government on 12-8-2009.

[No. L-22012/373/1998-IR(CM-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL, TRIBUNAL-CUM-LABOUR COURT
ASANSOL**

Present : Sri Manoranjan Patnaik, Presiding Officer

Reference No. 91 of 1999

Parties : Industrial Dispute between the Management
of Daluraband Colliery.

Vrs.

Their Workman.

REPRESENTATIVES

For the Management : Sri P.K. Dass, Advocate

For the Union (Workman) : Sri S.K. Panday,
General Secretary, K.M.C.

AWARD

In exercise of powers conferred by clause (d) of Sub-section (1) and Sub-section 2(I) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), Government of India through the Ministry of Labour *vide* its letter No. L-22012/373/1998-IR (CM-II) dated 9-7-1999 has been pleased to refer the following dispute for adjudication by this Tribunal.

SCHEDULE

“Whether action of Management of Dalurband Colliery of Pandabeswar Area of M/s ECL in dismissing Sri Kedar Bhuiya, Under Ground Loader is legal and justified ? If not, to what relief the workman concerned entitled ?”

2. In response to the summons issued by the Tribunal both the parties appeared through their representatives and filed their respective written statement Sri P.K. Das, Advocate, appeared for the management and Sri S.K. Pandey, General Secretary of the Koyla Mazdoor Congress appeared for the workman. Both the parties contested the dispute.

Shun of all details the case of the workman is that the workman Sri Kedar Bhuiya was a regular employee of Dalurband Colliery of ECL and worked as Under Ground Loader. He was dismissed from his service w.e.f. 3-6-97 by Chief General Manager, Pandabeswar Area by his order No.2099 dated 3-6-97 on the ground that the workman remained absent from his duty from 9-8-96 to 3-10-96.

The case of the management as per averment is that the workman became absent from his duty from 9-8-96 without any prior information to the management and he remained absent till 3-10-96 and the absence of the

workman was unauthorized. Considering the unauthorized absence of the workman, a charge-sheet was issued and the workman submitted his reply stating therein that due to his poor health he failed to attend his duty. The further case of the management is that considering the poor health of the workman the management took a lenient view and allowed the workman to join his duty after awarding a light punishment but still the workman did not join the duty and in the circumstance the management got a regular domestic enquiry conducted in which the Enquiry Officer came to the conclusion that the mis-conduct of the workman was established on the basis of which the management passed the order of dismissal. The further case of management is that the order of dismissal is justified and there is no scope to inter-fare with the punishment.

The case of the workman is that the workman became absent from his duty due to his sickness and as he was undergoing treatment. When he was declared medically fit he reported for his duty but he was not allowed to resume his duty and in the meantime he was served with a charge-sheet and thereafter he was dismissed from service. He did not receive any notice of domestic enquiry and could not get opportunity to defend himself. Later on when the union took up the matter for his reinstatement and the matter was considered in the corporate level in JCC meeting held on 26-9-97, it was decided that in the first case the worker dismissed on the allegation of absence during past two years may be considered and after examining their case process may be started for reinstatement but lastly the workman was not reinstated. The further case of the union is that the punishment of dismissal is too severe and dis-proportionate for the alleged misconduct.

On conclusion of hearing an award dated 4-10-2002 was passed but this award is passed afresh pursuant to the order dated 16-8-2004 of the Hon'ble High Court at Calcutta passed in W.P. No. 12709(W) of 2004. The relevant portion the order as extracted is as follows:

"Therefore, the effectivity of the Award passed by the Presiding Officer be kept in abeyance and will be allowed to proceed as it is or by passing an Award afresh after considering the points which are relevant as directed by this Court as early as possible preferably within a period of 3 months from the date of communication of this order".

The long lapse of time in disposal of this case which is not in adherence of the Hon'ble Court's order can be attributed to various reasons as reflected in the order sheet but in as much it relates to the present incumbency w.e.f. 2-2-2009 the lapse of time is due to adjournment for convenience of both the parties and on their request.

3. On a careful reading of the order of the Hon'ble Court it is clear that various points are required to be considered now as per the observation of the Hon'ble Court. It has been observed that, Although repeatedly it

has been held by the Presiding Officer of the Tribunal that the enquiry held by the Enquiry Officer in absence of the workman is justified but there is no reference as regards independent enquiry made by such Presiding Officer to hold that even it is a contested enquiry on the basis of the materials duly collected during the enquiry, then it is valid independently by it without such explanation by further evidence only on the statement made in the written statement at the time of attendance, the workman was absent on ill health ground or not on it any lenient view could have been taken or not, can not be inferred by the Presiding Officer of the Tribunal. Further, it has been observed that the consideration of measurement as disproportionate on punishment has not been reflected in the award. In a sincere bid for consideration of the above points for passing a award afresh both the parties were given opportunity to adduce further evidence but they did not avail it. The learned Advocate for the management and the General Secretary of the concerned union have been heard at length.

4. Facts remain that the union did not challenge the fairness on the validity of the enquiry proceeding nor the report. It has not alleged any impropriety. The period of absence from duties for the period 9-8-96 to 3-10-96 is an admitted fact. The management has unequivocally admits in their pleading about their knowledge of illness and the health of the workman for which they initially took a lenient view and instead of taking of any action against him allowed him to join on duty after inflicting minor punishment. He was charge-sheeted on his failure to join in duties despite such liberal gesture of the management. The domestic enquiry has been held without active participation of the workman. The facts and circumstance that was established in the enquiry has not been contested by the workman at any point of the time. The enquiry report is free from blemish. He all along pleaded his ill health as the reason of his absence in duties and also for not joining in service even after the management took a lenient view and allowed him to join. It is not always expected that a workman will immediately get ready to join in duties soon after he recovers from illness. In this case it is the persistent claim that it is the not only the illness but ill health that prevented the workman to join and which is an acknowledged fact. The proceeding of the domestic enquired reveal about observation of formalities leaving no scope for arbitrary violation of rights of the workman. Had it been contested also the facts so established could hardly been altered as the facts of illness have been admitted by both side later on in the proceeding. The alleged misconduct has been proved the management itself took a lenient view and allowed him to join inflicting minor punishment. The poor health of the workman that prevented him to join in obedience to the liberal order of the management has, however, not been heeded and dismissal order was slammed on him. As such there is

sufficient and justifiable reason of invoking the provision of section II A of the I. D. Act. Since his reinstatement has not been objected by the management initially but the management is bent upon and took penal action for non-joining of duties subsequent to its lenient view and order to join. In all fitness of things an order for his reinstatement with punishment will be just and proper. But the action of dismissal of the workman at any rate can not be held as legal and justified in terms of the reference. There having no proof of gainful employment of the workman else where, he is entitled to back wages and service benefit. The minor punishment that is found proper is to stop two increments of the workman with cumulative effect and to cut the 50% of the back wages. An award needs to be passed accordingly. Hence it is ordered.

ORDER

Let an award be and same is passed as per above. Copy of the award be sent to the Ministry of Labour & Employment, Government of India, New Delhi.

MANORANJAN PATTNAIK, Presiding Officer.

नई दिल्ली, 12 अगस्त, 2009

का.आ. 2442.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एवं ई.सी.एल. के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकारण, आसनसोल, के पंचाट (संदर्भ संख्या 16/1998) को प्रकौशित करती है, जो केन्द्रीय सरकार को 12-8-2009 को प्राप्त हुआ था।

[सं. एल-22012/257/1997-आई.आर (सी-II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 12th August, 2009

S.O. 2442.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 16 of 1998) of the Central Government Industrial Tribunal-cum-Labour Court, Asansol, as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of ECL and their workman, which was received by the Central Government on 12-8-2009.

[No. L-22012/257/1997-IR(C-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT ASANSOL

Present : Sri Manoranjan Pattnaik, Presiding Officer

Reference No. 16 of 1998

Parties : Industrial Dispute between Management of Ukhra Regional Workshop of ECL
Vrs.

Their Workman.

REPRESENTATIVES

For the Management : Sri P.K. Dass, Advocate

For the Union (Workman) : Sri S.K. Panday,
General Secretary, K.M.C.
Asansol.

Industry : Coal State : West Bengal

Dated the 7-7-2009

AWARD

In exercise of powers conferred by clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), Government of India through the Ministry of Labour vide its letter No. L-22012/257/1997-IR(CM-II) dated 12-06-1998 has been pleased to refer the following dispute for adjudication by this Tribunal.

SCHEDULE

“Whether the action of the management of Ukhra Regional Workshop of M/s. ECL for not regularization Sh. Ajoy Kumar Singh, Draftman as Security Sub-Inspector in Tech. & Supervisory Gr. C is legal and justified ? If not , to what relief is the workman entitled?”

2. On receipt of the order No. L-22012/257/1997-IR (CM-II) dated 12-6-1998 of the above mentioned reference from the Government of India , Ministry of Labour , New Delhi for adjudication of the dispute, a reference case No. 16 of 1998 was registered on 25-6-1998 and accordingly an order to that effect was passed to issue notices through the registered post to the parties concerned directing them to appear in the court on the date fixed and to file their written statements along with the relevant documents and a list of witnesses in support of their claims. In pursuance of the said order notices by the registered post were sent to the parties concerned.

3. The case of the workman in short is that he is an employee under the management of Ukhra Regional Workshop of Eastern Coal Fields Ltd. (ECL). He was initially appointed as a Draftsman. He being an Ex-service personnel and having aptitude and qualification applied for change of discipline from Draftsman to Security Service and for his appointment as Security Sub-Inspector. Considering his service record in Army the Management deployed him against the job of Sub-Inspector w.e.f. 23-06-1993. The Chief of Security recommended for his absorption. Despite his continuous working in the Security service and good track record and acknowledged fact that

he is considered as an asset and rendered good service, the management has been ignoring his claim for regular absorption in Security Service which does not have any financial implication as both the posts i.e. Draftsman and Security Sub-Inspector are of the same grade.

4. Without refuting the details relating to initial appointment of the workman the stand of the management as averred in the written statement is that the workman was authorised to be deployed on day to day basis in Security department vide order U.R. W/PD/93/766, dated 25-6-1993 in addition to his normal duty and as such claim of regularization of the workman in the said post is illegal and improper. He was deployed in exigencies of the company and as such the workman has no legal and valid claim.

On perusing the pleadings and evidence both documentary and oral and on having heard both the sides it is found that the factual aspect of the claims of the workman regarding his appointment and deployment in Security department etc. and other details on that score have not been refuted by the management at all. The long and continuous deployment of the workman in Security Service since 1993 under a valid order also is an admitted fact. No legal financial impediment exist nor any other reason against the absorption have been advanced. Facts remain that he is an ex-service man and is better suitable for the post which has been acknowledged by the management which is evident from the records. In the above circumstances I do not find any reason to justify the action of the management in not regularizing the workman Sh. Ajaya Kumar Singh as Security Sub-Inspector in Tech. & Supervisor Gr. “C” from the date of his deployment against the post and in not granting all service benefits attached to it. Accordingly award is passed to the effect that the workman is entitled to be regularized in the post of Security Sub-Inspector in Tech. & Supervisor Gr. “C” from the date of his deployment with all the service benefits attached to the post .

ORDERED

Let an award be and same is passed as above. Send copies of the award to the Ministry of Labour & Employment, Government of India , New Delhi.

MANORANJAN PATTNAIK, Presiding Officer

नई दिल्ली, 12 अगस्त, 2009

का.आ. 2443.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ई.सी.एल के प्रबंधित एवं संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, असनसोल, के पंचाट (संदर्भ संख्या 65/1999) को प्रकाशित करती है, जो केन्द्रीय सरकार को 12-8-2009 को प्राप्त हुआ था।

[सं. एल-22012/322/1998-आई.आर. (सी-11)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 12th August, 2009

S.O. 2443.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 65 of 1999) of the Central Government Industrial Tribunal-cum-Labour Court, Asansol, as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of ECL and their workman, which was received by the Central Government on 12-8-2009.

[No. L-22012/322/1998-IR(C-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, ASANSOL

Present : Sri Manoranjan Pattnaik, Presiding Officer

Reference No. 65 of 1999

Parties : Industrial Dispute between Management of Madhusudanpur Colliery of ECL, Kajoragram, Bardwan.

Vrs.

Their Workman

REPRESENTATIVES

For the Management : Sri P.K. Das, Advocate

For the Union (Workman) : None

Industry : Coal State : West Bengal

Dated the 29-6-2009

AWARD

In exercise of powers conferred by clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), Government of India through the Ministry of Labour *vide* its Letter No. L-22012/322/1998-IR(CM-II) dated 11/16/06-1999 has been pleased to refer the following dispute for adjudication by this Tribunal.

SCHEDULE

“Whether the action of the management of Madhusudanpur Colliery of Kajora Area of ECL in dismissing Sh. Debasish Roy, General Mazdoor is legal and justified? If not, to what relief is the workman concerned entitled?”

2. On receipt of the Order No. L-22012/322/1998-IR (CM-II) dated 11/16/06-1999 of the above mentioned

reference from the Government of India, Ministry of Labour, New Delhi for adjudication of the dispute, a reference case No. 65 of 1999 was registered on 5-7-1999 and accordingly an order to that effect was passed to issue notices through the registered post to the parties concerned directing them to appear in the court on the date fixed and to file their written statements along with the relevant documents and a list of witnesses in support of their claims. In pursuance of the said order notices by the registered post were sent to the parties concerned.

3. The case of the workman in short is that he (workman) is a permanent employee under the Eastern Coal Fields (ECL) worked as General Mazdoor at Madhusudanpur Colliery. He remained absent since 5-4-1992 due to his illness. He duly intimated the fact to the management but charge sheet was filed vide C.S.No. NSP/C-6/24/9/234 dated 19-9-94. He was dismissed subsequently w.e.f. 15-6-1995 on the basis of the enquiry report of the Enquiry Officer in a fake enquiry. His Medical Certificate was ignored and he was not given opportunity to defend himself challenging the same the workman has raised this Industrial Dispute.

4. Employer's stand in short is that the workman is a habitual absentee and remained absent from duties without permission from 5-4-1997. He was accordingly charge sheeted for his misconduct U/S 17(i)(d) & (n) of the model standing order and was dismissed after a domestic enquiry was held and his explanation was found unsatisfactory.

5. Upon going through the pleading & documents and having the learned Advocate for the Employer it is found that the workman is claim that he was ill and that he was prevented from joining his duties and above all he duly intimated the fact to the authority as claimed in the pleading has not been substantiated in any manner as he did not participate in the final hearing on this proceeding nor any evidence was adduced on his behalf. All that is found in the record in support of his plea is the admission the Enquiry Report about submission of Medical Certificate showing his illness. Record shows his attendance in duties on the previous years very poor. In the above circumstance the action of the Management in dismissing the workman can not be said unjustified and no relief to workman flows down. However, taking into consideration the absence of the workman leaving on health ground the management will do good to take such him into the service on compassionate grounds inflicting any sort of punishment other than dismissal Award needs to be passed as above. Accordingly it is ordered.

ORDER

Let an award be and same is passed as above. Copy of the award be sent to the Ministry of Labour & Employment, Govt. of India, New Delhi.

MANORANJAN PATTNAIK, Presiding Officer

नई दिल्ली, 12 अगस्त, 2009

का.आ. 2444.——औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एवं भारत इलेक्ट्रॉनिक्स लिमिटेड के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नं.-2, मुम्बई के पंचाट (संदर्भ संख्या 2/36 ऑफ 2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 12-8-2009 को प्राप्त हुआ था।

[सं. एल-42012/268/2003-आई आर (सीएम-II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 12th August, 2009

S.O. 2444.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 2/36 of 2004) of the Central Government Industrial Tribunal-cum-Labour Court No.2, Mumbai as shown in the Annexure in the Industrial Dispute between the management of M/s. Bharat Electronics Limited, and their workmen, received by the Central Government on 12-8-2009.

[No. L-42012/268/2003-IR(CM-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO.2, MUMBAI

Present : A. A. Lad, Presiding Officer

Reference No. CGIT-2/36 of 2004

Employers in relation to the management of
M/s. Bharat Electronics Ltd.

The Executive Director,
M/s. Bharat Electronics Ltd.,
L-1, MIDC Industrial Area, Taloja,
Tah. Panvel, Distt. Raigad,
Raigad (Maharashtra). —First Party

V/s.

Sh. S. N. Pawar,
ST No. T05990, Walmiki Wadi,
Post : Khalaur, Distt. Raigad,
Raigad (Maharashtra). —Second Party

APPEARANCES

For the Employer : S/Shri George Kurian,
K.S. Benson, Ms. Gita Raut and
Ms. Theresa Benson,
Advocates.

For the Workman : Shri M.B. Anchan, Advocate.

Date of reserving the Award : 8-4-2009.

Date of passing the Award : 8-7-2009.

AWARD - PART - I

The matrix of the facts as culled out from the proceedings are as under :

1. The Government of India, Ministry of Labour by its Order No. L-42012/268/2003-IR(CM-II) dated 19th

August, 2004 in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section 2 A of Section 10 of the Industrial Disputes Act, 1947 have referred the following dispute to this Tribunal for adjudication :

“Whether the action of the Management of M/s. Bharat Electronics Ltd., Taloja in dismissing the services of Sh. S.N. Pawar is legal and Justified? If not, to what relief the workman is entitled?”

2. Claim Statement is filed by the concerned workman at Exhibit 9 making out the case, that, he was working with the 1st Party as a unskilled - I (Ware Handler) in the Machine Shop Department of the 1st Party's Taloja Plant, Raigad District. He contends that, he was issued charge sheet dated 2-9-1999 for alleged misconduct of habitual absence without leave for 252 days during the period from 20-2-1990 to 7-7-1999. He states that, he explained the absenteeism by letter dated 20-10-1999 and denied the charge. He contends that after he gave said explanation Enquiry Officer was appointed to conduct an enquiry who conducted enquiry and held him guilty of the charge leveled against him. He contends that, due to his sickness he was unable to report on duty between 22-2-1998 to 7-7-1999. He contends that, whenever he fell sick and remained absent he submitted medical certificate with leave applications. He contends that, he submitted the said leave applications and medical certificates but it was not considered by the Management and he was unnecessarily shown as absent without permission. He contends that, as soon as he informed the Management about his absenteeism and reason behind it, inspite of that, he was charge sheeted and enquiry was conducted. He contends that, the enquiry conducted was not fair and proper and full opportunity was not given to him. He contends that, he was not permitted to defend himself in the enquiry. He contends that, Enquiry Officer was bias. He contends that, the finding of the Enquiry officer was perverse. He contends that, during the enquiry also he submitted copies of leave applications with Medical Certificates which he had submitted in the office to the Enquiry Officer still they were not considered by the Enquiry Officer. He submits that, the finding given by the Enquiry Officer is perverse and require quash and set aside holding enquiry unfair and improper. He also pray that, the action taken by the Management on the basis of said finding quash and set aside with directions to the Management to reinstate him with back wages and continuity of service.

3. This is disputed by the Management by filing reply at Exhibit 8 stating and contending that, 2nd Party was absent without permission and leave applications. It contends that, proper procedure was followed for conducting enquiry. It is contended that, charge sheet was issued and full opportunity was given to the concerned workman to represent him in the enquiry. It is contended that, principles of natural justice were followed while conducting enquiry against the concerned

workman. It is contended that, the 2nd Party admitted his absenteeism for 252 days without leave or permission during the period from 20-2-1998 to 7-7-1999. It is contended that, such absence from duty without permission and without sanction is nothing but misconduct which is proved against him by holding enquiry. Even the Enquiry Officer gave finding to that effect and relying on that, 1st Party decided to terminate the services of the concerned workman. It is contended that, copy of the finding of the Enquiry Officer was sent to the 2nd Party for comments. It is contended that, the same was challenged by the concerned workman before the Appellate Authority. It is contended that, the said appeal was turned down by the Appellate Authority maintaining the order of dismissal. It is contended that, the 2nd Party admit the charges and has not disputed it by leading cogent and sufficient evidence. It is denied that, he submitted medical certificate with application as and when he was absent and sick. It is contended that, the medical certificate were not proved before the Enquiry Officer by calling the Doctor, the signatory of the medical certificate. It is contended that, the 2nd Party is habitual in remaining absent without prior permission and intimation. It is contended that, the enquiry was conducted in Hindi language and written in Marathi of which copy was given to the concerned workman. It is contended that, 2nd Party participated in the enquiry. It is contended that, full opportunity was given to the concerned workman while conducting enquiry. It is contended that, witnesses were offered for cross to the concerned workman and their cross was taken by the concerned workman. It is contended that, enquiry was conducted by following principles of natural justice and the enquiry was fair and proper. It is contended that, the Enquiry officer gave the finding on the basis of the evidence available before him and it need not be interference and the Reference be rejected.

4. In view of the above pleadings Issues were framed at Exhibit 14. Out of them issue of fairness of enquiry and perversity are tried as preliminary issues which I answer against them as follows :

ISSUES	FINDINGS
1. Whether inquiry fair and proper?	Yes
2. Whether findings perverse?	No

REASONS :

ISSUES NOS. 1 & 2 :

(5) It is case of the 2nd Party that he was working with 1st Party as unskilled - I (Ware Handler) in the Machine Shop Department of the Plant of the 1st Party at Taloja, District Raigad. He alleges that, he was served with charge sheet dated 20-9-1999 levelling charge of misconduct of habitual absenteeism without leave for 252 days during the period 20-2-1998 to 7-7-1999. He alleges that, he replied said charge sheet and denied the allegations. He alleges

that, enquiry conducted on the same charges was not fair and proper. He alleges that, Enquiry Officer was bias. He alleges that, Management has not accepted his medical certificate produced by him with the application and regularize his absence on medical grounds. He alleges that, even medical certificates were not considered by the Enquiry officer. He alleges that, Enquiry Officer was bias. He alleges that, enquiry was conducted in English language, the language which he do not know. He alleges that, it was not explained. He alleges that, he was not given proper opportunity to participate in the enquiry.

(6) Said is disputed by the Management saying that, enquiry was fair and proper and full opportunity was given to the concerned workman. It is alleged that, he participated in the enquiry through his representative. It is alleged that, the concerned workman appeared in the enquiry and took part in it. It is alleged that, full opportunity was given to the concerned workman. It is alleged that, the decision was taken by Disciplinary Authority on the basis of the finding given by the Enquiry Officer on the basis of the evidence before him. It is alleged that, the workman did not submit the medical certificate to the Management during the period of his absence. He produced those only before the Enquiry Officer but did not prove it by calling the Doctor the signatory to the Medical Certificates. It is the case of the Management that, the concerned workmen admit the absenteeism and unable to justify as to why he was absent for such a long period for 252 days during the period 20-2-1998 to 7-7-1999. It is contended that, the Enquiry Officer had evidence to conclude that, the charge of habitual absenteeism without permission is proved against the concerned workman.

(7) To prove that, the concerned workman placed reliance on his affidavit filed at Exhibit 16, in lieu of his examination-in-chief wherein he narrates the same story as stated above and make allegations as reproduced above. However, in the cross he admits that, he was served with charge sheet dated 20-9-1999. He admits that, he replied the same on 20-9-1999. He admits that, enquiry was conducted by leading evidenee. He admits that, he participated in the enquiry. He admits that, he signed enquiry proceedings as and when it took place. He admits that, copy of the enquiry proceedings was served on him. He admits that when he was absent for 13 dates on the enquiry, that time, evidence was not recorded by the Enquiry officer. He admits that, he had appointed his representative i.e. Union leader. He admits that, he was not attending enquiry properly and remained absent. He admits that, enquiry was not eonduced in his absence. He admits that, as and when he prayed for time it was granted by the Enquiry Officer. He admits that, when he was absent evidence was not recorded by the Enquiry Officer. He admits that, enquiry was closed on 12-6-2001 and opened on 21-12-2001at his request., He admits .that, he has not

filed written complaint about opportunity not given to him by the Enquiry Officer. He states that, one D. K. Patil was his Defence Representative who represented him in the enquiry. He admit that, he was President of the Union by name Kamgar Congress. He denies that, enquiry was conducted in Marathi and was translated in English in the enquiry proceedings. He admits that, he was served with the enquiry report. He admits that, from 1995 till 2002 his increment was stopped due to his irregular absenteeism and he was informed accordingly. On that, he closed evidence and filed closing purshis at Exhibit 18.

(8) Against that, 1st Party examined Fanindara Kumar Gupta by filing his affidavit at Exhibit 19 who states that, he conducted the enquiry against the concerned workman. He contends that, charge of unauthorized absenteeism of 252 days was levelled against the concerned workman. He states that, the 2nd Party and his representative attended enquiry and on 12 dates it was not attended by 2nd Party so it was adjourned. He states that, on 9 occasions 2nd Party prayed for adjournments which were granted to him. He states that, the concerned workman with his representative signed the proceedings as and when they were present and as and when some proceedings took place in the enquiry. He states that, Management witness D.C. Vishwasrao was examined and offered for cross to the 2nd Party and his defence representative. He states that, Defence Representative took cross of the Management witness. He stated that, enquiry proceedings were properly recorded. He states that, he has submitted report after recording evidence. He contends that, there was evidence to observe concerned workman guilty of the charge of absenteeism. In the cross he states that, the concerned workman applied for leave without pay from 23-9-1998 to 2-2-1999 and said request was rejected by the Management. He admits that, the concerned workman filed 4 medical certificates which cover his absenteeism of 240 days out of 252 days. He admits that, leave record was not produced by the Management in the enquiry. He states that, the enquiry was conducted in Hindi and Marathi but recorded in English. He admits that, he has not mentioned it in the enquiry proceedings. On that 1st Party closed evidence and filed closing purshis at Exhibit 20.

(9) Written arguments are filed by the concerned workman at Exhibit 21 which are replied by the 1st Party at Exhibit 22 with some citations.

(10) Gone through the written arguments submitted by both and the enquiry proceedings submitted at Exhibit 13 pages 1 to 85. Here explanation given by the concerned workman is at page 3 of Exhibit 13 regarding his absenteeism, where he denied his unauthorised absenteeism. Then proceedings reveal that witnesses were examined by the Management and were offered for cross. It reveals that, proper opportunity was given to the

concerned workman. It reveals that, the Management witnesses were cross examined by the 2nd Party's Defence Representative. Then evidence of concerned workman was recorded. Here it is to be noted that, the concerned workman claims that, he submitted the medical certificate and also he has produced before Enquiry Officer. It is pertinent to note that, on that point no question is put to him. Question No.6 put to the Management witness reveals that, medical certificate was not produced by the concerned workman before Management while applying for leave. Even charge sheeted employee who examined himself does not explain when he produced the medical certificates and to whom he gave those. Even he has not proved that medical certificates were given by him to the Management and those were not considered by it. Enquiry Officer in the finding referred to the medical certificate produced by the concerned workman saying that, those were not proved so he did not consider those.

(11) Here charge of absenteeism without permission is levelled against the concerned workman. Charge of habitual absenteeism was also levelled against the concerned workman. Concerned workman alleges that, he intimated about his absenteeism with medical certificates. However, that is not proved by him. Besides, he is not denying that, he was absent as alleged by the Management. If we consider all this coupled with the charge of absenteeism levelled against the concerned workman of 250 days during the period from 22-2-1998 to 7-7-1999 one has to conclude that, definitely it is abnormal absenteeism and it reveals that, almost for all those days during the above period he was absent. When he alleges that, he was sick, question arises how he can pull on with his needs when he was absent for 252 days in a year out of 365 days. Besides, he admits that, he was absent. When he admit that, he was absent and even evidence produced on record reveals that, he participated in the enquiry which definitely prove that, he got full opportunity to appear in the enquiry and make out his case. It also reveals that, the concerned workman admit the guilt. Thus it reveals that, the charge of absenteeism is proved against the concerned workman.

(12) As far as fairness of enquiry and perversity of the finding is concerned, it is not pointed out by the concerned workman how enquiry is not fair and proper and finding is perverse. In fact burden is on the concerned workman to show that, how enquiry is fair and proper and finding contrary evidence brought on perverse. On the record and deposition given by him before this Tribunal does not permit us to say that, enquiry was not fair and proper and finding perverse. On the contrary evidence brought on record reveals that, enquiry was fair and proper and finding not perverse.

13. It was open to the 2nd Party to prove and justify the absenteeism but he has not utilised the said facility when it was available to him to bring evidence on record

and prove it before this Tribunal. Even he did not call the Doctor who gave alleged certificates to justify his absenteeism. That opportunity of calling Doctor was not utilised by the concerned workman. Besides he has not proved that, he gave medical certificates to the Management. It is fact that, he has given medical certificates to the Enquiry officer but author of that, who gave those is not examined and those certificates are not proved by examining the Doctor before the Enquiry Officer. Even same mistake is done by him by not calling Doctor before this Tribunal to prove the Medical Certificates and to justify his absenteeism.

14. If we consider all this coupled with the evidence brought on record I conclude that, enquiry is fair and proper and finding not perverse. So I answer above Issues to that effect and passes the order as under :

ORDER

- (a) I observe enquiry is fair, proper and finding not perverse,
- (b) I direct both to participate on the quantum of punishment.

Bombay, A. A. LAD, Presiding Officer
8th July, 2009

नई दिल्ली, 12 अगस्त, 2009

का.आ. 2445.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एवं बी.बी.एम. बी. के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नं.-1, चण्डीगढ़ के पंचाट (संदर्भ संख्या 97/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 12-8-2009 को प्राप्त हुआ था।

[सं. एल-23012/21/2000-आई आर (सी-11)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 12th August, 2009

S.O. 2445.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.97/2001) of the Central Government Industrial Tribunal-cum-Labour Court No. 1, Chandigarh as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BBMB, and their workman, which was received by the Central Government on 12-8-2009.

[No. L-23012/21/2000-IR(C-II)]
AJAY KUMAR GAUR, Desk Officer

ANNEXURE

**BEFORE SHRI GYANDENDRA KUMAR SHARMA,
PRESIDING OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-I,
CHANDIGARH**

Case No. I. D. No.97/2001

Shri Kuldeep Singh C/o Shri R.K. Singh Parmar, 211-L, Brari P.O. Partap Nagar, Nangal Dam, District Ropar.

...Applicant

Versus

The Chief Engineer, Bhakra Dam, BBMB Nangal Township, District Ropar.

...Respondent

APPEARANCES

For the Workman	Shri R. K. Singh, AR.
For the Management	Shri Bhagat Singh and Shri S. K. Goel, ARs.

AWARD

Passed on 3-8-2009

Government of India, vide Notification No. L-23012/21/2000-IR(C-II), Dated 08-03-2001, by exercising its powers under Section 10 of the Industrial Disputes Act, (hereinafter referred to as the Act), referred the following reference for judicial adjudication to this Tribunal:

“Whether the action of the management of BBMB in terminating the services of Shri Kuldeep Singh S/o Shri Batna Ram is legal & justified? If not, to what relief the workman is entitled to?”

It is the contention of the workman that he was engaged in Nangal Workshop Division as unskilled Mazdoor token No. 422-D on daily wages and he was employed continuously till 31-03-1993. His services were illegally terminated by the management. Juniors to him were retained in service, whereas his services were terminated against the provisions of the Act. It is further contended by the workman that at the time of his retrenchment more than 600 workers were working in the department and his services were retrenched without taking permission from appropriate Authority. No notice, one month wages in lieu of notice or retrenchment compensation was paid to him before his retrenchment, which made his termination illegal being against the provisions of Section 25G and 25H of the Act.

The management of the BBMB opposed the claim of the workman by filing the written statement. It is the contention of the management that seniority list was strictly maintained by the department in compliance of the directions given by the Hon’ble Himachal Pradesh High Court in CWP 27 of 1988, Ram Piari Versus BBMB. No junior to the workman was retained in service and the workman was given one month notice and retrenchment compensation as per the law.

Opportunity of adducing evidence was given to the parties. Affidavits were filed, which were considered as chief examination and cross-examination was recorded in open court on oath. Certain documents relied by the parties were also filed. Arguments were heard.

I have gone through the evidence adduced by the parties, oral and documentary.

The first contention of the workman is that there were more than 600 workers in the department and no per-

mission of appropriate Authority was taken before termination of the services of the workman, which is violation of Section 25N of the Act. The workman has also relied on a judgment published in 1990(78) FJR 412. I have also gone through the judgment relied upon and cited by the workman. It is admitted case of the parties that the applicant was working in this unit on daily wage basis and not as a permanent employee. He was employed for the specific job when the work against which he was deployed came to an end his services were retrenched by giving one month notice and paying retrenchment compensation. It is admitted by the workman in his cross-examination that he was paid Rs. 2508 as terminal dues and he received the same on 31-03-1993. Thus, the authority cited and relied upon by the workman, is not applicable in the facts and circumstances of case in question. The workman was a daily wager and his services were retrenched after complying with the provisions of Section 25F of the Act. Therefore, in my view, the management was not under any obligation for taking permission of the appropriate authority before retrenching the services of the workman.

By cogent evidence the management has proved that seniority of daily wage workers was maintained by the management of the BBMB in compliance of the directions given by the Hon'ble Himachal Pradesh High Court in Ram Piari's case (*supra*). There is no iota of evidence adduced/filed by the workman to prove that any junior to the workman was retained in service at the time, the services of the workman were retrenched. The workman has also failed to prove that new hands or junior to him were provided with the job after the termination of his services. Thus, on the basis of above discussion, I am of the view that the services of the workman were terminated in a lawful manner and the workman is not entitled for any relief. Let the Central Government be approached for publication of award, and thereafter, the file be consigned to the record room.

G. K. SHARMA, Presiding Officer

नई दिल्ली, 12 अगस्त, 2009

का.आ. 2446.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी.बी.एम.बी. के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नं.-1, चण्डीगढ़ के पंचाट (संदर्भ संख्या 11/1996) को प्रकाशित करती है, जो केन्द्रीय सरकार को 12-8-2009 को प्राप्त हुआ था।

[सं. एल-22012/156/1995-आई आर (सी-11)]
अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 12th August, 2009

S.O. 2446.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.11/1996) of the Central Government Industrial Tribunal-cum-Labour

Court No.1, Chandigarh as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BBMB, and their workman, which was received by the Central Government on 12-8-2009.

[No. L-22012/156/1995-IR(C-II)]
AJAY KUMAR GAUR, Desk Officer

ANNEXURE

**BEFORE SHRIGYANENDRA KUMAR SHARMA,
PRESIDING OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-1,
CHANDIGARH.**

Case No. I.D. No.11/1996

The President, Nangal Bhakra Mazdoor Sangh, Quarter No.35-G, Nangal Township, District Ropar. (Punjab)-140 124

. .Applicant

Versus

The Chief Engineer, Bhakra Dam, BBMB Nangal Township, District Ropar.

. .Respondent

APPEARANCES

For the Workman	Shri R.K. Singh, AR.
For the Management :	Shri Bhagat Singh and Shri S. K. Goel, ARs.

AWARD

Passed on 3-8-2009

Government of India, *vide* Notification No. L-22012 / 156/95-IR (C-II) dated 12-1-1996 by exercising its powers under Section 10 of the Industrial Disputes Act (hereinafter referred to as the Act), referred the following reference for judicial adjudication of this Tribunal :—

“Whether the category of Wiremen and Linemen in the Estt. of BBMB are doing the same and similar type of work and are entitled for same scales of pay ? If not to what other relief these categories are entitled ?”

On the plain reading of the reference it is evident that the controversy between the management and the workman is whether the Wiremen and Linemen posted and working with the management of BBMB are doing the job of similar nature and whether they are entitled to the same Pay Scales?

It is the contention of the workmen that upto 30-12-1995 Linemen and Wiremen were doing the similar job and also getting the same and similar Pay Scales. It was on 1-1-1996, when BBMB adopted the Pay Scales of Punjab State Electricity Board that Pay Scales of two categories, namely Wiremen and Linemen were on different footings. As the nature of work of Lineman and Wireman is the same, they are entitled for the same pay structure and any difference in Pay Scales is arbitrary.

The management filed the written statement and adduced the contention of the Government. It is the contention of the management that required qualifications

for the recruitment of Wiremen and Linemen are different, their recruitment process is different and the nature of the job is also different. It is further contended by the management that the management has rightly kept these two categories under the different Pay Scales.

Proper opportunity for adducing the evidence was given to the parties. Parties adduced the oral evidence and also filed documentary evidence. After hearing the arguments of the parties, the file was reserved for orders.

There is no dispute on the issue that before 1-1-1986, Linemen and Wiremen were getting the same Pay Scales under the different nomenclature. On 1-1-1986, the management of the BBMB adopted the Pay Scales of Punjab State Electricity Board by an administrative scheme. There was no post of Lineman in Punjab State Electricity Board, the same was given the pay structure as per letter No. 7879-8080/R&R/130/96/RO dated 25-2-1999 with effect from 1-1-1996. The letter of the Special Secretary of the Board of the BBMB along with scheme of fixation of pay is on the record. In this letter for Linemen and Wiremen different pay scales are mentioned.

During arguments the workmen argued that it is the violation of right to equality because both of the categories are doing the same and similar job but they are paid differently. On the other hand it was argued on behalf of the BBMB that fixation of pay is the prerogative of the management and it cannot be challenged before this Tribunal. It was further argued that service conditions, nature of job and eligible qualifications in both of the positions are different and there is no illegality in keeping them in different pay structure.

If there are two classes of employees doing the same job, having the same nature of work to perform and there is no difference in discharging of their duties, certainly they are entitled for equal pay. But if nature of work performed and duties discharged are different, it is open for the management to keep them under the different pay structure. Right to equality as protected under Article 14 of the Constitution also permits the reasonable qualifications among the employees performing different functions and discharging different duties. There cannot be any discrimination in a class of employees doing the same and similar job and discharging the similar duties. But if the duties discharged by the employees are different, it gives a cause to the management to differentiate their Pay Scales on the basis of the work done and duties discharged.

The oral evidence adduced by two workmen namely; Vijay Kumar as WW-1 and Ajay Kumar as WW-2 shows that they have sometimes discharged the duties of Lineman also WW-2, in his evidence has admitted that the functions of both of the categories of workmen namely; Wireman and Lineman are different. The parameter of risk in the duties of Lineman is much more than the Wireman. Nature of their work is also different. In my view, both of the categories of workmen are working in the Electricity Department and just

on the basis of their working with Electricity Department, their duties cannot be said to be similar and same. Even in Electricity Department, there are certain types of workmen discharge different duties. On the basis of oral and documentary evidence, I am of the view that the natures of work of both of the categories of workmen are different. Wireman has to work to ALT Circuits, whereas, the Lineman is deputed on the job of HT and Light Voltage Transmission lines and other allied jobs. The jobs of lineman impose lot of risk as they have to climb to electric polls and many oftentimes worked in light wire circuit.

Witness of management has categorically stated that desired qualifications for recruitment of these two categories of workmen are different. There is no specific denial on it. Certain document also reveals that these two categories of workmen are recruited as per the different procedure and are discharging the different functions. Thus, there is no illegality in keeping the two categories of workmen in different pay structure.

One of the contentions of the workman, as it is clear from the evidence of WW-1 and WW-2, is that sometime the workman had also worked as Lineman. It is the different issue altogether. If a particular workman, working in particular category of a department, is entrusted to discharge the different functions, in that case, that workman is entitled for the wages of the work he has discharged, irrespective of the fact, in which category he was recruited by the department. Because of the fact that Wireman sometimes had worked and discharged the duties of Lineman, it cannot be said that it protect the entire cadre of Wireman for getting the similar Pay Scales of the Lineman. If Shri Vijay Kumar and Shri Anil Kumar had worked as Linemen under the instructions of the management for sometime, they are at liberty to claim the wages for that particular period but for their temporarily discharging and functioning as the Lineman, the entire cadre of Wireman cannot be given or sanctioned the pay structure of Lineman.

Moreover, Hon'ble Apex Court in Union of India and Others Vs. Indu Lal and others 2002(3)-All India Services Law Journal-130, has held that fixation of pay is not the function of the courts. Hon'ble Supreme Court in this case has also held that equation of pay or post is not a cause to decide by Court. It is an administration function.

The Court's interference is only possible when there is gross injustice in fixation of pay and post. For it the forum for raising such a dispute is also different.

On the basis of the above discussion, I am of the view that two categories of workers i.e. Wireman and Lineman are not entitled to similar pay because they are forming on the basis of their duties carried on and functions discharged altogether a different cadre. The reference is, accordingly, answered. Let the Central Government be approached for publication of award, and thereafter, the file be consigned to the record room.

G. K. SHARMA, Presiding Officer

नई दिल्ली, 13 अगस्त, 2009

का. आ. 2447.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार नेलाई ट्रान्सपोर्ट के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण /श्रम न्यायालय चेन्नई के पंचाट (संदर्भ संख्या 34/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 12-8-09 को प्राप्त हुआ था।

[सं. एल-29011/74/2005-आई.आर.(एम.)]
कमल बाखरू, डेस्क अधिकारी

New Delhi, the 13th August, 2009

S.O. 2447.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the award (Ref. No. 34/2006) of the Central Government Industrial Tribunal/ Labour Court, Chennai now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Nellai Transports and their workman, which was received by the Central Government on 12-8-09.

[No. L-29011/74/2005-IR (M)]

KAMAL BAKHNU, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT CHENNAI

Friday, the 31st July, 2009

Present : Shri A.N.Janardanan, Presiding Officer

Industrial Dispute No. 34/2006

(In the matter of the dispute for adjudication under clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), between the Management of Nellai Transports and their Workman)

BETWEEN

The General Secretary,
India Cements Employees Union,
298/D Thalaiyuthu
Sankar Nagar
Tirunelveli-627357 1st Party/Petitioner Union
Vs.

1. The general Manager
India Cements Ltd.
Sankar Nagar
Tirunelveli-627357 1st Respondent/II Party
2. M.S. Nellai Transport
363/2, Quarry Road
Sankar Nagar
Tirunelveli-627357 2nd Respondent/II Party

APPEARANCE

For the Petitioner Union : Sri S. Vaidyanathan

For the 1st Management : M/s. S. Jayaraman

2nd Management : M/s. S. Sadugopan

AWARD

The Central Government, Ministry of Labour vide its Order No. L-29011/74/2005-IR (M) dated 31-05-2006 referred the following Industrial Dispute to this Tribunal for adjudication.

The schedule mentioned in that order is :

'Whether the termination of Sri S. Kumarandi by the management of Nellai Transports as claimed by the India Cement Employees Union, is legal and justified? If so, to what relief the workman is entitled?"

2. After the receipt of Industrial Dispute, this Tribunal has numbered it as 34/2006 and issued notices to both sides. Both sides entered appearance through their respective counsel and petitioner filed Claim Statement. The Respondent did not file any Counter Statement.

3. The averments in the Claim Statement in a nutshell are briefly as follows:

The workman joined service under the Second Respondent Contractor on 19-02-1990 to discharge the work of First Respondent, the principal employer. Consequent on termination of the workman the Industrial Dispute arose which on failure of conciliation was referred to this Tribunal. Termination of the workman is illegal and contrary to ID Act provisions. It is not complying with Section-25F of the ID Act and amounts to unfair labour practice, colourable exercise of powers and victimization. Hence the prayer for reinstatement with attendant benefits.

4. The matter was stayed by the High Court of Madras under Order dated 03-08-2006 in Writ Petition No. 24598/2006 and the matter continued to be stayed for long. While so, a memo was filed by the parties reporting settlement out of Court. The case also stood not represented by either side continuously. The learned counsel for the petitioner also endorsed that the matter has been settled and appropriate orders be passed vide endorsement on the Claim Statement.

5. Points for consideration are:

- (i) Whether the termination of the workman is legal and justified ?
- (ii) To what relief the workmen is entitled ?

Points I & 2

6. This is a case reported settled out of Court as endorsed by the learned counsel for the petitioner in writing on the Claim Statement. Both parties also reported as above. The continuation of the proceedings after the filing of the Claim Statement stood stayed by the High court of Madras in Writ Petition No. 24598/2006. The

Respondents never opted to contest the Industrial Dispute by filing any Counter Statement. Eventually, the dispute has been reported settled out of Court. The dispute has not actually arisen before this forum for a real adjudication. No issues at which parties were at variance were settled and no decision was actually called for.

7. From the reference, it is seen that there was termination of S. Kumarandi by the Management of Nellai Transports as claimed by the India Cements Union. The question referred is whether such a termination is legal and justified? Since no material has been placed to substantiate that point by the Claimant who challenges it, it is not possible to enter a finding that such termination is not legal and justified. Hence what follows is that the termination is legal and justified. So found.

8. The reference is answered as above.

(Dictated to the P.A., transcribed and typed by him, corrected and pronounced by me in the open court on this day the 31st July, 2009)

A. N. JANARDANAN, Presiding Officer

Witnesses Examined :

For the I Party/Petitioner	None
For the II Party/Management	None

Documents Marked :

From the Petitioner's side

Ex. No.	Date	Description
	Nil	

From the Management side:

Ex .No.	Date	Description
	Nil	
नई दिल्ली, 13 अगस्त, 2009		

का. आ. 2448.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एवं डल्लू सी. एल. के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नागपुर के पंचाट (संदर्भ संख्या 61/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 13-8-2009 को प्राप्त हुआ था।

[सं. एल-22012/298/2003-आई.आर.(सीएम-11)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 13th August, 2009

S.O. 2448.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 61/2004) of the Central Government Industrial Tribunal -cum- Labour Court, Nagpur as shown in the Annexure in the Industrial Dispute between the management of Western Coalfields Limited and their

workman, which was received by the Central Government on 13-8-2009.

[No. L-22012/298/2003-IR (CM-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE

BEFORE SHRI A. N. YADAV, PRESIDING OFFICER, CGIT-CUM-LABOUR COURT, NAGPUR

Case No. CGIT/NGP/61/2004 Date : 31-7-2009

Petitioner/ Shri Bhanudas Rebbawar,

Party No. 1 : Secretary, Lal Zanda Coal Mines Mazdoor Union (CITU), Subhash Nagar Ward, Ballarpur, Post & Tah. Ballarpur, Chandrapur (on behalf of Shri Sheikh Habib S/o Sheikh Ibrahim)

Versus

Respondent/ : The Sub-Area Manager,

Party No. 2 : Ballarpur Sub-Area of Western Coalfield Limited, Post & Tah. Ballarpur, Dist. Chandrapur (M.S.)

AWARD

(Dated : 31st July, 2009)

1. The Central Government after satisfying the existence of dispute between Shri Bhanudas Rebbawar, Secretary, Lal Zanda Coal Mines Mazdoor Union (CITU), Chandrapur (on behalf of Shri Sheikh Habib S/o Sheikh Ibrahim) (Party No. 1) and the Sub-Area Manager, Ballarpur Sub-Area of Western Coalfields Limited, Chandrapur (Party No. 2) referred the same for adjudication to this Tribunal vide its letter No. L-22012/298/2003/IR (CM-II) dated 23-6-2004 under clause (d) of sub-section (1) and sub-section (2A) of Section 10 of Industrial Disputes Act, 1947 (14 of 1947) with the following Schedule.

2. "Whether the action of the management of Ballarpur Sub-Area of Western Coalfields Limited in removing from services Sh. Sheikh Habib S/o Sh. Sheikh Ibrahim, General Mazdoor, Ballarpur Colliery 3 & 4 pits vide office order No. WCL/BA/Ballarpur U/G/H-22/1711, dated 24-11-2002 is legal and justified? If not , to what relief to which the workman is entitled?"

3. The Secretary, Lal Zanda Coal Mines Mazdoor Union (CITU) Union has raised the dispute of Sh. Sheikh Habib S/o Sh. Sheikh Ibrahim, before the ALC that the Petitioner was working as a General Mazdoor in Ballarpur Colliery 3 &4 pits and on failing of conciliation proceeding, the Government has referred it to the CGIT. During the pendency of the dispute i.e. reference No. 61/ 2004 on 9-7-2009 both the parties settled it amicably outside the Court. They arrived at following certain conditions :

Terms and Conditions:

- Shri Sheikh Habib will be re-employed afresh as General Mazdoor in Cat-1 for underground mine and he will be paid initial basic of Cat. I (UG) in Ballarpur Area.

2. Such re-employment will be subject to medical fitness so certified by the Company Doctor.

3. Shri Sheikh Habib shall remain on probation for a period of one year from the date of joining and he has to put in minimum 190 days of attendance in a year. In case his attendance and general performance is not found satisfactory by the management, his services shall automatically stand terminated without any enquiry or assigning any reason thereof.

4. Shri Sheikh Habib has been paid gratuity, hence he will not be entitled to benefit of continuity of service.

5. The period from the date of his termination till re-employment and joining on his duty will be treated as dies-non on the principle of no work no pay.

6. Form-H settlement individually or through union, incorporating the above terms and conditions for entering into employment and the same will be sent for registration to the Labour machinery.

7. Industrial Dispute is pending before the CGIT the re-employed person will withdraw the same from CGIT by filing a copy of settlement for consent award.

8. He shall have no right to apply for VRS at later stage.

They agreed it before the Court by filing the pursis and requested for the Award in that terms. I accepted it and recorded the compromise Award in the terms of it. Consequently, there remained no dispute due to the compromise. Hence, this no dispute Award.

date : 31-07-2009.

A. N. YADAV, Presiding Officer

नई दिल्ली, 13 अगस्त, 2009

का. आ. 2449.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसार में, केन्द्रीय सरकार डब्ल्यू. सी.एल. के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नागपुर के पंचाट (संदर्भ संख्या 87/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 13-8-09 को प्राप्त हुआ था।

[सं. एल-22012/87/2006-आई.आर.(सी.एम-II)]
अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 13th August, 2009

S.O. 2449.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the award (Ref. No. 87/2006) of the Central Government Industrial Tribunal-cum-Labour Court, Nagpur as shown in the Annexure in the Industrial Dispute between the management of Sasti Colliery of WCL, and their workmen, which was received by the Central Government on 13-8-09.

[No. L-22012/87/2006-IR (CM-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE

BEFORE SHRI A. N. YADAV, PRESIDING OFFICER, CGIT-CUM-LABOUR COURT, NAGPUR

Case No. CGIT/NGP/87/2006 Date : 27-7-2009

Petitioner / Shri Lomesh Khartad, General

Party No. 1 : Secretary, Rashtriya Mazdoor Congress, Dr. Ambedkar Ward, Br, Ballarpur, Chandrapur (on behalf of Shri Kande Bhuma Pocham)

Respondent/ The Sub-Area Manager,

Party No. 2 : Sasti Colliery of WCL, PO Sasti, Tah. Rajura, Dist. Chandrapur (M.S.)

AWARD

(Dated : 27th July, 2009)

1. The Central Government after satisfying the existence of dispute between Shri Lomesh Khartad, General Secretary, Rashtriya Colliery Mazdoor Congress, Chandrapur (on behalf of Shri Kande Bhuma Pocham) (Party No. 1) and the Sub-Area Manager, Sasti Colliery of WCL, Dist. Chandrapur (M.S.) (Party No. 2) referred the same for adjudication to this Tribunal vide its letter No. L-22012/87/2006/IR (CM-II) dated 01-11-2006 under clause (d) of sub-section (1) and sub-section (2A) of Section 10 of Industrial Disputes Act, 1947 (14 of 1947) with the following schedule.

2. "Whether the action of the management in relation to Sasti Colliery of Western Coalfields Limited in terminating the services of Shri Kande Bhuma Pocham w.e.f. 8-8-2002 is legal and justified? If not, to what relief is the workman entitled?"

3. The General Secretary, Rashtriya Colliery Mazdoor Congress (RCMC) Union has raised the dispute of Mr. Kanda Bhuma Pocham before the ALC and on failing of the conciliation proceeding, the Government had referred it to this CGIT-cum-Labour Court. During the pendency of the dispute i.e. reference No. 87/2006 on 27-7-2009 both the parties settled it amicably outside the Court. They arrived at following certain conditions :

Terms and Conditions:

1. Shri Kande Bhuma Pocham will be re-employed afresh as General Mazdoor in Cat-I for underground mine and he will be paid initial basis of Cat. 1 (UG) in Ballarpur Area.

2. Such re-employment will be subject to medical fitness so certified by the Company Doctor.

3. Shri Kande Bhuma Pocham shall remain on probation for a period of one year from the date of joining and he has to put in minimum 190 days of attendance in a year. In case his attendance and general performance is not found satisfactory by the management, his services shall automatically stand terminated without any enquiry or assigning any reason thereof.

4. Shri Kande Bhuma Pocham had received his entitled gratuity for the service, he had rendered for the period 13-10-1984 to 8-8-2002 in the company. As such continuity of service will not be provided of the purpose of gratuity.

5. The period from the date of his termination till re-employment and joining on his duty will be treated as dies-non on the principle of no work no pay.

6. Form-H settlement individually or through union, incorporating the above terms and conditions for entering into employment and the same will be sent for registration to the Labour machinery.

7. In case any dispute is pending before the CGIT the re-employed person should withdraw the same from CGIT by filing a copy of Settlement for consent award. If any matter is pending before any other courts, the union/ex-employee will withdraw the case from the concerned court.

8. He shall have no right to apply for VRS at later stage.

They agreed it before the Court by filing the purshis and requested for the Award in that terms. I accepted it and recorded the compromise Award in the terms of it. Consequently, there remained no dispute due to the compromise. Hence, this no dispute Award.

Date : 27-7-2009.

A. N. YADAV, Presiding Officer

नई दिल्ली, 13 अगस्त, 2009

का. आ. 2450.—ओद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एवं ई.सी.एल. के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट ओद्योगिक विवाद में केन्द्रीय सरकार ओद्योगिक अधिकरण/श्रम न्यायालय असनसोल के पंचाट (संदर्भ संख्या 01/2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 13-8-2009 को प्राप्त हुआ था।

[सं. एल-22013/1/2009-आई.आर.(सी-II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 13th August, 2009

S.O. 2450.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the award (Ref. No. 01/2007) of the Central Government Industrial Tribunal-cum-Labour Court, Asansol as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of ECL and their workman, which was received by the Central Government on 13-8-2009.

[No. L-22013/1/2009-IR (C-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, ASANSOL

Misc. Case No. 1 of 2007 (Ref. 33/03)

Present : Sri Manoranjan Pattnaik, Presiding Officer

Parties : Industrial Dispute between the management of Khas Kajora Colliery

Vrs.

Their workmen

REPRESENTATIVES

For the Applicant : Sri P.K. Das, Advocate

For the Opposite Party : None

INDUSTRY: COAL STATE : WEST BENGAL

Dated the 10-6-2009

ORDER

This order is on the application filed by the petitioner and registered on 2-12-2007 for restoration of the reference No. 33/03 to file. The Union inter alia contends that to non availability of the workman in the event of his retirement written statement could not be filed and consequently the reference was disposed of with a 'No Dispute Award'. The Union now in this application urged for restoration of the case on the plea that it is ready to file written statement. The management too has not filed written statement in the proceeding.

On perusal it is found that an award has been passed on 15-8-2006 and same has been notified on Gazette of India on 7-8-2006. The union has not taken any steps in the reference proceeding from 16-2-2005 to 15-6-2006. Also it has approached now with restoration of the lapse of about 6 months and in a half hearted and casual manner and finally did not turn up at the time of hearing. At any rate after the award has been passed and notified this Tribunal has became functus officio for absence of any legal provision under the I.D. Act, 1947 or Rules that for setting aside it award. In the result the Misc. Application has no merit and is liable to be dismissed. Hence ordered.

ORDERED

The Misc. application is dismissed.

MANORANJAN PATTNAIK, Presiding Officer

नई दिल्ली, 13 अगस्त, 2009

का. आ. 2451.—ओद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैग्नीज और इंडिया लिमिटेड के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट ओद्योगिक विवाद में केन्द्रीय सरकार ओद्योगिक अधिकरण/श्रम न्यायालय, जबलपुर के पंचाट (संदर्भ संख्या

सीजीआईटी/एलसी/आर/228/99) को प्रकाशित करती है, जो केन्द्रीय सरकार को 12-8-2009 को प्राप्त हआ था।

[सं. एल-27012/1/99-आई.आर.(एम)]
कमल बाखरू, डेस्क अधिकारी

New Delhi, the 13th August, 2009

S.O. 2451.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.CGIT/LC/R/228/99) of the Central Government Industrial Tribunal/ Labour Court, Jabalpur now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Manganese Ore India Ltd. and their workman, which was received by the Central Government on 12-8-2009.

[No. L-27012/1/99-IR (M)]

KAMAL BAKHRU, Desk Officer

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
JABALPUR**

No. CGIT/LC/R/228/99

Presiding Officer : Shri Mohd. Shakir Hasan

The General Secretary,
Bhartiya Manganese Mazdoor Sangh,
Chikla-Jode Sadak,
Teh. Tumsar,
Bhandara ...Workman/Union

Verenus

**The Chief Engineer (Mines),
Manganese Ore (India) Ltd.,
Teh. Tumsar,
Bhandara** ...Management

AWARD

Passed on this 27th day of July, 2009

1. The Government of India, Ministry of Labour vide its Notification No. L-27012/1/99-IR(M), dated 16-6-1999 has referred the following dispute for adjudication by this tribunal:—

"Whether the action of the management of Manganeer Ore India Ltd., Chikla Mine, in dismissing Shri Prithviraj Kundlik Shende, ex-worker from service w.e.f. 6-1-1998 is legal and justified? If not, to what relief the said workman is entitled and from what date?"

2. In this case the workman did not appear inspite of notice and therefore the predecessor's Court proceeded the case ex parte against the workman on 8-10-2007.

3. The case of the non-applicant/management in short is that the workman Shri Prithviraj Kundlik Shende

was appointed as underground un-skilled piece rated worker w.e.f. 13-7-97 in place of her mother Smt. Mukdi Kunele Shende, who obtained VRS w.e.f. 12-7-09. He was appionted with terms and conditions in addition to standing orders. The workman accepted the terms and conditions before his joining. The applicant submitted a declaration before joining his duty. The management forwarded his declaration to the concerned police for verification who after verification, reported to the management that the workman was held guilty by the Competent Court in Criminal Case No. 584/92 and was fined for Rs. 200/- and in default of payment of fine 10 days imprisonment was imposed on him. The workman gave an application and denied the allegation. It is stated that the management again asked for a report from the police who again reported that a criminal case is also pending and he is also fined by the Competent Court. It is stated that the applicant had submitted a false declaration with regard to his character that he did not involve in any criminal case nor any criminal case is pending against him. On receipt of the report of the police authority, he has been terminated in terms of his appointment order.

4. Now the only point as to whether the action of the management in dismissing the workman from service is legal and justified?

5. To prove the case, the management has examined oral and documentary evidence. The management witness Shri Nitin Pagnis is examined in the case. He is senior Manager (Personnel). He has supported the case of the management. He has stated that the workman was appointed in place of his mother who obtained VRS. Her VRS was accepted by the management and the said letter is marked as Exhibit M/1. He has stated that the workman was issued appointment letter with terms and conditions and the same was accepted by the workman. The said appointment letter and his declaration is marked as Exhibit M/2. He has stated that the workman submitted a declaration letter before joining his duty. The said letter marked as Exhibit M/3. This clearly shows that he accepted the job with terms and conditions that if after verification of his character, he was found involved in any criminal case, he would be terminated without notice and any compensation. He has further stated that the management forwarded his declaration to the police, from where the management received report that he was punished by the Competent Court. The said report is marked as Exhibit M/4. The workman again submitted an application regarding his innocence which is marked as Exhibit M/5. The management again sent it to the police which is Exhibit M/6. He has further stated that the report of the police was received confirming his criminal antecedent. This itself shows that a false declaration was submitted by the workman who was appointed conditionally. This witness is not cross-examined. There is no other evidence to contradict the evidence of the management. There is no

अधिनियम के प्रचालन से 30 सितम्बर, 2010 तक की अवधि के लिए छूट प्रदान करती है।

2. उक्त छूट निम्नलिखित शर्तों के अधीन है, अर्थात् :-

1. पूर्वोक्त स्थापना जिसमें कर्मचारी नियोजित हैं, एक रजिस्टर रखेगा, जिसमें छूट प्राप्त कर्मचारियों के नाम और पदनाम दिखाये जायेंगे;
2. इस छूट के होते हुए भी, कर्मचारी उक्त अधिनियम के अधीन ऐसी प्रसुविधाएं प्राप्त करते रहेंगे जिनको पाने के लिए वे इस अधिसूचना द्वारा दी गई छूट के प्रवृत्त होने की तारीख से पूर्व संदर्भ अंशदानों के आधार हकदार हो जाते हैं;
3. छूट प्राप्त अवधि के लिए, यदि कोई अभिदाय पहले ही किए जा चुके हैं, तो वे वापस नहीं किए जाएंगे;
4. उक्त कारखाने/स्थापना का नियोजक उस अवधि की बाबत जिसके दौरान उस कारखाने/स्थापना पर उक्त अधिनियम (जिसे इसमें इसके पश्चात “उक्त अवधि कहा गया है”) प्रवर्तमान था ऐसी विवरणियाँ, ऐसे प्रारूप में और ऐसी विशिष्टियों सहित देगा जो कर्मचारी राज्य बीमा (साधारण) विनियम, 1950 के अधीन उसे उक्त अवधि की बाबत देनी अपेक्षित होती थीं;
5. निगम द्वारा उक्त कर्मचारी राज्य बीमा अधिनियम की धारा 45 की उप-धारा (1) के अधीन नियुक्त किया गया कोई निरीक्षक या निगम का इस निमित्त प्राधिकृत कोई अन्य पदधारी;
- (i) धारा 44 की उप-धारा (1) के अधीन, उक्त अवधि की बाबत दी गई किसी विवरण की विशिष्टियों को सत्यापित करने के प्रयोजनार्थ, अथवा
- (ii) यह अभिनिश्चित करने के प्रयोजनार्थ कि कर्मचारी राज्य बीमा (साधारण) विनियम, 1950 द्वारा यथाअपेक्षित रजिस्टर और अभिलेख उक्त अवधि के लिए रखे गये थे या नहीं; या
- (iii) यह अभिनिश्चित करने के प्रयोजनार्थ कि कर्मचारी, नियोजक द्वारा दिये गए उन फायदों को, जिसके फलस्वरूप इस अधिसूचना के अधीन छूट दी जा रही है, नकद में और वस्तु रूप में पाने का हकदार बना हुआ है या नहीं; या
- (iv) यह अभिनिश्चित करने के प्रयोजनार्थ कि उस अवधि के दौरान जब उक्त कारखाने के संबंध में अधिनियम के उपर्युक्त प्रवृत्त थे, ऐसे किन्हीं उपर्युक्तों का अनुपालन किया गया था या नहीं, निम्नलिखित कार्य करने के लिए सशक्त होगा :-
- (क) प्रधान या आसन्न नियोजक से अपेक्षा करना कि वह ऐसी जानकारी दे जिसे उपरोक्त निरीक्षक या अन्य पदधारी आवश्यक समझता है;

- (ख) ऐसे प्रधान या आसन्न नियोजक के अधिभोगाधीन, किसी कारखाने, स्थापना, कार्यालय या अन्य परिसर में किसी भी उचित समय पर प्रवेश करना और उसके प्रभारी से यह अपेक्षा करना कि वह व्यक्तियों के नियोजन और मजदूरी के संदर्भ से संबंधित ऐसे लेखा, बहियाँ और अन्य दस्तावेज ऐसे निरीक्षक या अन्य पदधारी के समक्ष प्रस्तुत करें और उनकी परीक्षा करने दें या ऐसी जानकारी दें जिसे वे आवश्यक समझते हैं; या
- (ग) प्रधान या आसन्न नियोजक की, उसके अधिकर्ता या सेवक की, या ऐसे किसी व्यक्ति को, जो ऐसे कारखाने, स्थापना, कार्यालय या अन्य परिसर में पाया जाए, यह विश्वास करने का युक्तियुक्त कारण है कि वह कर्मचारी है परीक्षा करना; या
- (घ) ऐसे कारखाने, स्थापना, कार्यालय या अन्य परिसर में रखे गए किसी रजिस्टर, लेखा, बही या अन्य दस्तावेज की नकल तैयार करना या उद्धरण लेना;
- (ङ) यथानिर्धारित अन्य शक्तियों का प्रयोग करना।
6. विनिवेश/निगमीकरण के मामले में, प्रदत्त छूट स्वतः रह हो जाएगी और तब नए प्रतिष्ठान को छूट हेतु समुचित सरकार की अनुमति लेनी होगी।

अनुसूची

क्रम संख्या	स्थापना/कारखाने का नाम
1.	सेमी कंडक्टर लेबोरेट्री, एस.ए.एस.नगर, पंजाब
2.	इंडियन रेयर अर्थ लिमिटेड, उद्घोग मंडल, केरल
3.	चेन्नई पेट्रोलियम कॉर्पोरेशन लिमिटेड, चेन्नई (सभी इकाइयाँ)
4.	मैरीन वर्कशॉप ऑफ सैन्ट्रल इनलैण्ड वाटर ट्रांसपोर्ट कॉर्पोरेशन लिमिटेड, कोलकाता
5.	भारत पेट्रोलियम कॉर्पोरेशन लिमिटेड (सभी इकाइयाँ)
6.	हिन्दुस्तान न्यूज़ प्रिन्ट लिमिटेड, न्यूज़ प्रिन्ट नगर डाकघर कोटायम, केरल
7.	तूटीकोरिन पोर्ट ट्रस्ट, तूटीकोरिन
8.	इंस्ट्रूमेंटेशन लिमिटेड, कोटा
9.	कोचीन शिपिंगर्ड लिमिटेड, कोचीन
10.	राष्ट्रीय बीज निगम (केन्द्रीय भंडार एवं आपूर्ति प्रभाग, नई दिल्ली तथा इसकी वे इकाइयाँ: गुंदूर, नांडयाल, सिकन्दराबाद, बंगलौर, जालंधर, भटिंडा, कुर्नूल)
11.	आई.टी.आई लिमिटेड, पल्लाकड़
12.	हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड (सभी इकाइयाँ)
13.	प्रक्रिया-सह-उत्पाद विकास केन्द्र, मेरठ
14.	पेल्लरकाड़/अकूलम फैक्ट्री त्रिवेन्द्रम तथा कांगला फैक्ट्री के नियमित और ठेका कर्मचारियों सहित रजिस्टर

1	2
	एण्ड कॉर्पोरेट आफिस ऑफ हिन्दुस्तान लेटेक्स लिमिटेड, पूजापूरा, तिरुवनंतपुरम्
15.	राष्ट्रीय रसायन एवं उर्वरक लिमिटेड, मुम्बई
16.	न्यू मंगलौर पोर्ट ट्रस्ट, मंगलौर
17.	हिन्दुस्तान शिपयार्ड लिमिटेड, विशाखाद्वानम्
18.	फटिलाइजर एण्ड कैमिकल्स ट्रावनकोर लिमिटेड (एफएसीटी), उद्योगमंडल, केरल
19.	हैवी इंजीनियरिंग कॉर्पोरेशन लिमिटेड, राँची तथा भुवा, राँची स्थित इसके 3 कारखाने
20.	आईटीआई लिमिटेड, रायबरेली
21.	हिन्दुस्तान और्गेनिक कैमिकल्स लिमिटेड, अम्बालामुगल, एर्नाकुलम, केरल

[संख्या एस-38014/48/2008-एस.एस.-1]

एस. डी. जेवियर, अवर सचिव

स्पष्टीकरण ज्ञापन

इस मामले में छूट को भूतलक्षी प्रभाव देना आवश्यक हो गया है क्योंकि छूट के आवेदन पर कार्यावाही करने में समय लगा। तथापि, यह प्रमाणित किया जाता है कि छूट को भूतलक्षी प्रभाव देने से किसी भी व्यक्ति के हित पर प्रतिकूल प्रभाव नहीं पड़ेगा।

New Delhi, the 3rd September, 2009

S.O. 2453.—In exercise of the power conferred by Section 88 read with Section 91-A of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government hereby exempts the regular employees of factories/establishments specified in the schedule from the operation of the said Act for a period up to and inclusive of the 30th September, 2010.

2. The above exemption is subject to the following conditions, namely:—

- (1) The aforesaid establishment wherein the employees are employed shall maintain a register showing the name and designations of the exempted employees;
- (2) Notwithstanding this exemption, the employees shall continue to receive such benefits under the said Act to which they might have become entitled to on the basis of the contributions paid prior to the date from which exemption granted by this notification operates;
- (3) The contributions for the exempted period, if already paid, shall not be refundable;
- (4) The employer of the said factory/establishment shall submit in respect of the period during which that factory was subject to the operation of the said Act (hereinafter referred as the said

period), such returns in such forms and containing such particulars as were due from it in respect of the said period under the Employees' State Insurance (General) Regulations, 1950;

- (5) Any Inspector appointed by the Corporation under sub-section (1) of Section 45 of the said ES1 Act or other official of the Corporation authorized in this behalf by it, shall for the purpose of :—
 - (i) Verifying the particulars contained in any return submitted under sub-section (1) of Section 44 for the said period; or
 - (ii) Ascertaining whether registers and records were maintained as required by the Employees' State Insurance (General) Regulations, 1950 for the said period ; or
 - (iii) Ascertaining whether the employees continue to be entitled to benefits provided by the employer in cash and kind being benefits in consideration of which exemption is being granted under this notification ; or
 - (iv) Ascertaining whether any of the provisions of the Act had been complied with during the period when such provisions were in force in relation to the said factory to be empowered to :
 - (a) require the principal or immediate employer to him such information as he may consider necessary for the purpose of this Act; or
 - (b) at any reasonable time enter any factory, establishment, office or other premises occupied by such principal or immediate employer at any reasonable time and require any person found Incharge thereof to produce to such Inspector or other official and allow him to examine accounts, books and other documents relating to the employment of personal and payment of wages or to furnish to him such information as he may consider necessary; or
 - (c) examine the principal or immediate employer, his agent or servant, or any person found in such factory, establishment, office or other premises or any person whom the said inspector or other official has

reasonable cause to believe to have been an employee; or

- (d) make copies of or take extracts from any register, account book or other document maintained in such factory, establishment, office or other premises;
- (e) exercise such other powers as may be prescribed.

6. In case of disinvestment/corporatization, the exemption granted shall become automatically cancelled and then the new entity will have to approach the appropriate Government for exemption.

SCHEDULE

Sl. No.	Name of the Establishment/Factory
1.	Semi Conductor Laboratory, SAS Nagar, Punjab
2.	Indian Rare Earth Ltd., Udyogmandal, Kerala
3.	Chennai Petroleum Corp. Ltd., Chennai (All Units)
4.	Marine Workshop of Central Inland Water Transport Corporation Ltd., Kolkatta
5.	Bharat Petroleum Corporation Ltd., (All Units)
6.	Hindustan News Print Ltd., Newsprint Nagar P.O. Kottiyam, Kehala
7.	Field Workshop of Tuticorin Port Trust, Tuticorin
8.	Instrumentation Ltd., Kota
9.	Cochin Shipyard Ltd., Cochin
10.	National Seeds Corporation (Central Stores & Supply Division, New Delhi & its units at)

1	2
11.	Guntur, Nandyal, Secunderabad, Bangalore, Jallandhar, Bhatinda, Kurnool)
12.	ITI Limited, Palakkad, Kerala
13.	Hindustan Petroleum Corporation Ltd., (All Units)
14.	Process-cum-Product Development Centre, Meerut
15.	Registered and Corporate Office of Hindustan Latex Ltd., Poojapura, Thiruvananthapuram (including Peroorkada/Akulam Factory, Trivandrum & regular & contract employees of Kangala factory)
16.	Rashtriya Chemicals & Fertilizers Ltd., Mumbai
17.	New Mangalore Port Trust, Mangalore
18.	Hindustan Shipyard Ltd., Visakhapatnam
19.	Fertilisers and Chemicals Travancore Ltd., (FACT), Udyogmandal, Kerala
20.	Heavy Engineering Corporation Ltd., Ranchi and its 3 factories at Dhurva, Ranchi
21.	ITI Ltd., Rae Bareli
	Hindustan Organic Chemicals Ltd., Ambalamugal, Ernakulam, Kerala

[No. S-38014/48/2008-SS-I]

S. D. XAVIER, Under Secy.

EXPLANATORY MEMORANDUM

It has become necessary to give retrospective effect to the exemption in this case as processing of the applications for exemption took time. However, it is certified that the grant of exemption with retrospective effect will not affect the interest of any body adversely.